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## CODE OF CONDUCT FOR THE IMPLEMENTATION OF THE MORATORIUM ON THE IMPORTATION, EXPORTATION AND MANUFACTURE OF LIGHT WEAPONS

**WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS);**

REAFFIRMING our Declaration of 31st October, 1998 of a Moratorium on the importation, exportation and manufacture of light weapons for a period of three years renewable, effective from 1st November, 1998;

RECALLING AHG/DEC.137(XXXV) on the proliferation, illegal circulation and traffic of light weapons adopted by the 35th Ordinary Session of the OAU Conference of Heads of State and Government held in Algiers, Algeria in July 1999;

AWARE of the compelling need to encourage and promote actions to support the effective application of the Moratorium;

CONVINCED that observance of the Moratorium can best be achieved through transparency and concerted effort, and that the establishment of a Code of Conduct is required for this purpose;

**HAVE HEREBY AGREED AS FOLLOWS:**

### Article 1 : Binding nature of the Code of Conduct

The ECOWAS Member States shall abide by this Code of Conduct in order to implement the Moratorium signed in Abuja, Nigeria on October 31st, 1998.

### Article 2 : Scope of Moratorium

The Moratorium shall apply to the import, export and manufacture of light weapons as defined in Annex I to this Code of Conduct.

### Article 3 : Ammunition and components

Import, export and manufacture of components and ammunition for the light weapons defined in Annex1 shall also be subject to strict control in accordance with the spirit of the Moratorium. References to weapons or arms in this Code of Conduct shall be deemed to include ammunition and components.

## INSTITUTIONAL ARRANGEMENTS

### Article 4 : Member States

In order to promote and ensure co-ordination of concrete measures for effective implementation of the Moratorium at national level, Member States shall establish National Commissions, made up of representatives of the relevant authorities and civil society. The ECOWAS Executive Secretariat shall prepare guidelines to assist the Member States in the establishment of their National Commissions.

### Article 5 : ECOWAS Executive Secretariat

1. Structures, staff and procedures shall be established within the ECOWAS Secretariat, in order to:

   a) Assist Member States' implementation of the Moratorium;

   b) Monitor compliance;

   c) Report progress to the Authority of ECOWAS Heads of State and Government at regular intervals.

2. Such structures and procedures may include:

   (i) The initial establishment of four Zonal Observation Bureaux;

   (ii) Missions to Member States to ascertain that existing national arms production is brought to a halt in conformity with the spirit of the Moratorium;

   (iii) Obtaining external funding and technical assistance to support Moratorium-related activities.

## ADMINISTRATIVE MECHANISMS

### Article 6 : Information exchange

In order to increase transparency, Member States shall provide the ECOWAS Executive Secretariat an annual report on the ordering or procurement of weapons, components and ammunition covered by the Moratorium, both from national and international sources. The ECOWAS Secretariat with the assistance of PCASED shall develop an arms register as a confidence building

measure, with the intention of developing an electronic database of all legitimate stocks of weapons, ammunition and components covered by the Moratorium. Member States shall provide all necessary information to the arms register and data base. The Executive Secretary shall include all this information in his annual report to the Heads of State and Government.

**Article 7 : Harmonisation of legislation and administrative measures**

Member States shall harmonise and adopt the regulatory and administrative measures necessary for exercising control of cross-border transactions with regard to light weapons, components and ammunition relating to them. They shall train the law and order, immigration, licensing, customs, water resources and forestry officials required to put such regulatory and administrative measures into effect. The ECOWAS Secretariat will provide the necessary assistance that Member States may require for this purpose. The ECOWAS Secretariat shall in this regard, request appropriate assistance of PCASED.

**Article 8 : Peace operations weapons register**

At the beginning of international peace operations within and outside the ECOWAS zone, all dedicated light weapons and ammunition shall be declared to the ECOWAS Secretariat so as to enable their effective control as well as removal upon completion of the operation.

**Article 9 : Exemptions**

1. Member States may seek an exemption from the Moratorium in order to meet legitimate national security needs or international peace operations requirements. Such requests for exemptions shall be forwarded to the Executive Secretariat, which shall assess them against criteria developed with the technical assistance of PCASED.

2. The Executive Secretariat shall circulate the request to Member States. Provided there are no objections, the Executive Secretariat shall issue a certificate confirming Member States' assent. The document shall accompany the export licence application, together with other documentation on end-use as required by arms-exporting states. Should a Member State object, the request for exemption shall be referred to the ECOWAS Mediation and Security Council.

3. Exemptions may be granted to permit individual ownership of a single weapon in categories 1, 2 and 3A of Annex 1 for hunting or sporting purposes. Applications for such exemptions shall be processed by National Commissions and recommended to the ECOWAS Executive Secretariat for approval. The Executive Secretariat, with the technical support of PCASED shall develop and issue guidelines to National Commissions on the exemptions procedure.

**Article 10 : Visitor Certificates**

Member States shall introduce arrangements requiring visitors to apply in advance if they wish to bring arms covered by the Moratorium into any ECOWAS territory, and to declare such arms on entry. If entry is approved, the competent authorities shall issue visitors with an entry certificate on arrival; and an exit certificate on departure. A register shall be kept of all such certificates.

**OPERATIONAL ASPECTS**

**Article 11 : Intra and Inter-state Co-operation**

The ECOWAS Executive Secretariat with the assistance of PCASED and in partnership with National Commissions, shall develop procedures for inter-state co-operation between customs, law and order, and all other relevant officials involved in monitoring and implementing the Moratorium; and shall submit them for approval by Member States. The Executive Secretariat shall also with the assistance of PCASED and in collaboration with Member States, develop guidelines for intra-State co-operation between these officials. The Executive Secretariat shall facilitate and obtain assistance for the training of officials in intra and inter-state co-operation.

**Article 12 : Enhancing border controls**

The Executive Secretariat, in conjunction with Member States and with the assistance of PCASED will develop more effective border control mechanisms, including improved equipment, and training and co-operation of customs and other border officials.

**Article 13 : Collection and Destruction of Surplus Weapons**

Member States shall in collaboration with the Executive

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Vice-President, Secretary of State for Health, Labour, Social Welfare and Women's Affairs,
For and on behalf of the President of the Republic of The Gambia

**H.E. Flt.-Lt. Jerry John RAWLINGS**
President of the Republic of Ghana

**Hon. Zainoul Abidine SANOUSSI**
Minister of Foreign Affairs in the President's Office
For and on behalf of the President of the Republic of Guinea

**Hon José Pereira BATISTA**
Minister of Foreign Affairs and International Cooperation For and on behalf of the President of the Republic of Guinea-Bissau

**Hon. Enoch DOGOLEAH**
Vice- president
For and on behalf of the President of Liberia

**H.E. Alpha Oumar Konare**
President of the Republic of Mali

**Hon. Sidi Mohamed Ould BOUBACAR**
Minister, Secretary-General at the Presidency
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**H.E. Olusegun OBASANJO**
President, Commander-in-Chief
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Republic of Nigeria

**H.E. Abdou DIOUF**
President of the Republic of Senegal

**H.E. Ahmad Tejan KABBAH**
President of the Republic of Sierra Leone

**H.E. Gnassingbé EYADEMA**
President of the Togolese
Republic

## SMALL ARMS CATEGORY DESCRIPTION

| CATEGORY | WEAPON | DESCRIPTION |
|---|---|---|
| I | **Shotgun** | Firearm that shoots ammunition through a smooth bore. |
| | Single/Bolt/ Pump | Shotgun using mechanical action to chamber cartridges. |
| | Semi Automatic | Shotgun using gas energy to chamber cartridges. |
| Ii | **Rifle** | Firearm with a rifled bore, designed to be used with two hands usually fired from shoulder and uses very high-velocity cartridges. |
| | Single/Bolt/ Pump | Rifle using mechanical energy to chamber the next cartridge. |
| | Semi Automatic | Rifle using gas energy to chamber cartridges from a magazine single in chamber. |
| | Automatic | Rifle that fires more than one cartridge when triggered, normally by selector switch for operation in this mode |
| III | **Pistol** | Firearm designed to be held and fired with ene hand. |
| | Revolver | Pistol using a revolving cylinder with several cartridge chambers |
| | Semi automatic | Pistol using gas energy to feed cartridges from a magazine into a single chamber. |
| IV | **Sub-machine gun** | Full or semi automatic firearm which fires pistol ammunition, usually requires two hands to hold. |
| V | **Machine Gun** | Pneumatic, automatic firearm filled with a carbine barrel which carbine bullets or bullets of even heavier calibre. |
| | Light | One-man machine gun usually fired from bipod legs using magazine belted cartridges. |
| | General Purpose | Two or more men, crew - served machine gun fired from a bipod, tripod usually using belted cartridges |
| | Heavy | Two or more men, crew- served machine gun fired from a tripod vehicle mount using belted cartridges |
| | Auto Cannons | Two or more men, crew-served machine gun fired from a vehicle or ground mount. |
| VI | **Anti-tank, mortars, Howitzers** | Weapon firing projectiles which use chemical energy to explode shrapnel. |
| | Portable - I Man | One-shot or semi automatic explosive launcher carried and fired by a single person. |
| | Portable - Crew | One-shot explosive launcher transported by vehicle or by its crew. |
| | Automatic-Crew | Semi or fully automatic explosive launcher transported by vehicle or by its crew. |
| VII | **Land mines** | High explosive device place on or beneath the soil, that is designed to explode either on contact or in near proximity by a person or vehicle. |

## LIGHT AND SMALL ARMES REGISTRY
## TECHNICAL SPECIFICATIONS

| CATEGORY | WEAPON | UNDERSIZED NORMAL | MEDIUM/ | OVERSIZD | OVERSIZED |
|---|---|---|---|---|---|
| I | **Shotgun** | | | | |
| | Single/bolt/pump | ≥ 2O cal. | 16 - 12 cal. | ≤ 10 cal. | Fléchettc |
| | Semi-automatic | > 20 cal. | 16 - 12 cal. | ≤ 10 cal. | Fléchettc |
| II | **Riffle** | | | | |
| | Single/bolt/pump | ≤ 5 mm | 5,1- 8 mm | ≥ 9 mm | |
| | Semi-automatic | ≤ 5 mm | 5,1- 8 mm | ≥ 9 mm | |
| | Automatic | ≤ 5 mm | 5,1- 8 mm | ≥ 9 mm | |
| | Special | | | | Grenade |
| III | **Pistol** | | | | |
| | Revolver | ≤ 32 cal. | 38 - 40 cal. | ≥ 41 cal. | Hollow point, Tefl |
| | | ≤ 6 mm | 7 - 9 mm | ≥ 10 mm | Liquid-filled |
| | Semi-automatic | ≤ 32 cal. | 38 - 40 cal | ≥ 41 cat | Hollow. point, Tefl |
| | | ≤ 6 mm | 7 - 9 mm | ≥ 10 mm | Liquid-filled |
| IV | **Sub-Machine-Gun** | ≤ 32 cal. | 38 - 40 cal. | ≥ 41 cal | hollow point, Tefi |
| | | ≤ 6 mm | 7 - 9 mm | ≥ 10 mm | liquid-filled |
| V | **Machine-Gun** | | | | |
| | Light | ≤ 5 mm | 5.54 - 8mm | ≥ 9 mm | |
| | General Purpose | ≤ 5 mm | 5.54 - 8mm | ≥ 9 mm | |
| | Heavy | | | 12-16 mm | Grenade |
| | Auto Canons | | | ≥ 17 mm | Explosif |
| VI | **Anti-Tanks, Mortars, Howitzers** | | | | |
| | Portable - I Man | <.30 mm | 30 - 40 mm | ≥ 41 mm | Fléchette |
| | Portable - Crew | 60 mm | 70 - 84 mm | ≥ 85 mm | White phosphorus |
| | **Automatique -Crew** | < 30 mm | 30 - 40 mm | ≥ 41mm | Grenade |
| VII | **Land Mines** | < 200g | 200 g - I,4Kg | ≥ 1,5Kg | |

**SOME COMMON NAMES AND MODELS**

| CATEGORY | WEAPON | UNDERSIZE | MEDIUM | OVERSIZE |
|---|---|---|---|---|
| I | **Shotgun** | | | |
| | Single/bolt/pump | | RS200JMOD 12 | |
| | Semi-automatic | | | |
| | Semi-automatique | | SPAS/MOD 11 00/Bench | MAG10 |
| II | **Riffle** | | | |
| | Single/bolt/pump | | Sport / Hunt | Sport / Hunt |
| | Semi-automatic | | AK47/AKM/FN FAL/M16 | |
| | Automatic | | AK47/AKM/FN FALIM16 | |
| | Special | | Snipper | |
| III | **Pistol** | | | |
| | Revolver | | | |
| | Semi-automatic | | Bereta, Browning,Tokarev | Colt |
| IV | **Sun-machine Gun** | | Uzi/Sten/MP5 | |
| | Machine Gun | | | |
| | Light | | RPKJBrenISAW | |
| V | **General Pupose** | | M60/MG34/SG43 | |
| | Heavy | | | M2/Dsh K-38 |
| | Auto Cannons | | | M242/ZSU |
| VI | **Anti-Tanks Mortars, Howitzers** | | | |
| | Portable - I Man | | M79/M203 | RPG/Rifte Grenade |
| | | | | Recoilless Rifle |
| | Portable-Crew | Mortar | Mortier | Mortier/Obusier |
| | Automatique - Crew | | MK19/AGS 17 | |
| VII | Land mines | | | |

## PROTOCOL RELATING TO THE MECHANISM FOR CONFLICT PREVENTION, MAM\NAGEMENT, RESOLUTION, PEACE-KEEPING AND SECURITY

### PREAMBLE

**WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS);**

MINDFUL OF the ECOWAS Revised Treaty signed in Cotonou on 23rd July, 1993 notably its Article 58;

MINDFUL OF the relevant provisions of the Charter of the Organisation of African Unity (OAU);

MINDFUL OF the United Nations Charter, with particular reference to its Chapters VI, VII and VIII;

MINDFUL OF the provisions of Protocols A/P1/5/79, A/SP2/7/85, A/SP1/7/86, A/SP1/6/88, A/SP2/5/90 relating to the free movement of persons, the right of residence and establishment;

RECALLING the Protocol on Non-Aggression signed in Lagos on 22nd April, 1978 and the Protocol on Mutual Assistance in Defence signed in Freetown on 29th May, 1981, notably our resolve to give mutual aid and assistance for defence against any armed threat or aggression on a Member State;

CONSIDERING the Framework Agreement of the Protocol on Non-Aggression and Assistance in Defence (ANAD) signed in Abidjan on 9th June, 1977;

CONSIDERING ALSO the Protocol on the enforcement of the above-mentioned Framework Agreement signed in Dakar on 14th December 1981, as well as the subsequent Protocols;

REAFFIRMING our commitment to the ECOWAS Declaration of Political Principles adopted in Abuja on 6th July, 1991, on freedom, people's rights and democratisation;

RECALLING the relevant provisions of the ECOWAS Conventions on Mutual Assistance in Criminal Matters and on Extradition, signed in Dakar on 29th July, 1992 and in Abuja on 6th August, 1994, respectively;

RECALLING ALSO the Cairo Declaration of 29th June, 1993 on the establishment of a Mechanism for Conflict Prevention, Management and Resolution in Africa adopted by the 29th Session of the OAU Conference of Heads of State and Government;

CONCERNED about the proliferation of conflicts which constitute a threat to the peace and security in the African continent, and undermines our efforts to improve the living standards of our peoples;

CONVINCED OF the need to develop effective policies that will alleviate the suffering of the civil population, especially women and children, and, restore life to normalcy after conflicts or natural disasters, and desirous of making further efforts in the humanitarian sphere;

CONSCIOUS OF THE FACT that good governance, the rule of law and sustainable development are essential for peace and conflict prevention;

RECALLING the Declaration of the moraterium on the Importation, Exportation and Manufacture of Light Weapons, adopted by the 21st Session of the Authority of Heads of State and Government of ECOWAS, held in Abuja on 30th and 31st October, 1998;

RECALLING also the conclusions of the meeting of ECOWAS Ministers of Foreign Affairs on the effective implementation of PCASED, held in Bamako on 24th March, 1999;

CONVINCED that cross-border crimes, the proliferation of small arms and all illicit trafficking contribute to the development of insecurity and instability and jeopardise the economic and social development of the sub-region;

AWARE that these phenomena constitute serious social and economic problems which can only be resolved within the framework of increased and well-coordinated multilateral cooperation;

RECOGNISING the need to make the relevant treaties and protocols more adequate, effective and pragmatic;

DESIRING to consolidate our achievements in the resolution of conflicts through the ECOWAS Cease-fire Monitoring Group (ECOMOG).

RECALLING our Decision A/DEC.11/10/98 adopted in Abuja on 31st October 1998, relating to the ECOWAS Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security;

DESIROUS to establish an operational structure for the implementation of the said Decision;

**HEREBY AGREE ON THE FOLLOWING:**

**DEFINITIONS**

For the purposes of this Protocol;

"Treaty" means the revised Treaty of the Economic Community of West African States (ECOWAS) signed in Cotonou on 24th July 1993;

"Community" means the Economic Community of West African States referred to under Article 2 of the Treaty;

"Authority" means the Authority of Heads of State and Government of the Economic Community of West African States established by Article 7 of the Treaty;

"Mediation and Security Council" means the Mediation and Security Council as defined by Article 8 of this Protocol;

"Defence and Security Commission" means the Defence and Security Commission as defined in Article 18 of this Protocol;

"Executive Secretary" means the ECOWAS Executive Secretary appointed in accordance with Article 18 of the Treaty;

"Council of Elders" means the Council of Elders as defined in Article 20 of this Protocol;

"Meeting of Ambassadors" means the meeting of Ambassadors as defined by Article 14 of this Protocol;

"Special Representative" means the Special Representative as defined by Article 32 of this Protocol;

"Deputy Executive Secretary" means the Deputy Executive Secretary in charge of Political Affairs, Defence and Security as referred to in Article 16 of this Protocol;

"Institution" means any of the structures provided for under Article 4 of this Protocol;

"Organ" means any of the structures provided for under Article 17 of this Protocol;

"Observation and Monitoring Centre" means the Regional Peace and Security Monitoring Centre as provided for under Article 58 of the Treaty and referred to in Article 23 of this Protocol;

"ECOMOG" means the ECOWAS Cease-fire Monitoring Group which constitutes the Community's intervention force as defined in Article 21 of this Protocol;

"Force Commander" means the Force Commander appointed in accordance with the provisions of Article 33 of this Protocol;

"Trans-border crime" refers to all crimes organised or perpetrated by individuals, organisations or networks of local and/or foreign criminals operating beyond the national boundaries of a Member State, or acting in complicity with associates based in one or several States adjoining the country where the crimes are actually committed or having any connection with any Member State;

"Member State in crisis" refers both to a Member State experiencing an armed conflict as well as a Member State facing serious and persisting problems or situations of extreme tension which, if left unchecked, could lead to serious humanitarian disaster or threaten peace and security in the sub-region or in any Member State affected by the overthrow or attempted overthrow of a democratically elected government.

## CHAPTER I
## ESTABLISHMENT, PRINCIPLES AND OBJECTIVES OF THE MECHANISM

**Article 1 : Establishment**

There is hereby established within the Economic Community of West African States (ECOWAS), a mechanism for collective security and peace to be known as "Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security".

**Article 2 : Principles**

Member States reaffirm their commitment to the principles contained in the Charters of the United Nations Organisation (UNO) and the Organisation of African Unity (OAU) and to the Universal Declaration of Human Rights, as well as to the African Charter on Human and People's Rights, particularly the following fundamental principles:

(a) that economic and social development and the security of peoples and States are inextricably linked;

(b) promotion and reinforcement of the free movement of persons, the right of residence and establishment which contribute to the reinforcement of good neighbourliness;

(c) promotion and consolidation of a democratic government as well as democratic institutions in each Member State;

(d) protection of fundamental human rights and freedoms and the rules of international humanitarian laws;

(e) equality of sovereign States;

(f) territorial integrity and political independence of Member States;

**Article 3 : Objectives of the Mechanism**

The objectives of the Mechanism shall be as follows:

(a) prevent, manage and resolve internal and inter-State conflicts under the conditions provided in Paragraph 46 of the Framework of the Mechanism ratified as per Decision A/DEC.11/10/98 of 31st October, 1998;

(b) implement the relevant provisions of Article 58 of the Revised Treaty;

(c) implement the relevant provisions of the Protocols on Non-Aggression, Mutual Assistance in Defence, Free Movement of Persons, the Right of Residence and Establishment;

(d) strengthen cooperation in the areas of conflict prevention, early-warning, peace-keeping operations, the control of cross-border crime, international terrorism and proliferation of small arms and anti-personnel mines;

(e) maintain and consolidate peace, security and stability within the Community;

(f) establish institutions and formulate policies that would allow for the organisation and coordination of humanitarian relief missions;

(g) promote close cooperation between Member States in the areas of preventive diplomacy and peace-keeping;

(h) constitute and deploy a civilian and military force to maintain or restore peace within the sub-region, whenever the need arises;

(i) set up an appropriate framework for the rational and equitable management of natural resources shared by neighbouring Member States which may be causes of frequent inter-State conflicts;

(j) protect the environment and take steps to restore the degraded environment to its natural state;

(k) safeguard the cultural heritage of Member States;

(l) formulate and implement policies on anti-corruption, money-laundering and illegal circulation of small arms.

## CHAPTER II
## INSTITUTIONS OF THE MECHANISM

**Article 4 : Institutions**

The institutions of the Mechanism shall be:

(a) The Authority;

(b) The Mediation and Security Council;

(c) The Executive Secretariat;

(d) Any other institution as may be established by the Authority.

**Article 5 : Composition and Meetings of the Authority**

1. The Authority is composed of Heads of State and Government of Member States as stipulated in Paragraph 1, Article 7 of the Revised Treaty.

2. The Authority shall meet as often as necessary.

**Article 6 : Functions**

1. The Authority shall be the Mechanism's highest decision-making body.

2. It shall have powers to act on all matters concerning conflict prevention, management and resolution, peace-keeping, security, humanitarian support, peace-building, control of cross-border crime, proliferation of small arms, as well as all other matters covered by the provisions of this Mechanism.

**Article 7 : Delegation of Powers**

Without prejudice to its wide-ranging powers as provided under Article 9 of the Treaty and in Article 6 above, the Authority hereby mandates the Mediation and Security

Council to take, on its behalf, appropriate decisions for the implementation of the provisions of this Mechanism.

**Article 8 : Composition of the Mediation and Security Council**

1. The Mediation and Security Council shall comprise nine (9) Member States of which seven (7) shall be elected by the Authority. The othor two (2) members shall be the current chairman and the immediate past chairmian of the Authority, each of whom shall have an automatic right to membership of the Mediation and Security Council.

2. The elected Members of the Mediation and Security Council shall serve for two (2) years renewable.

**Article 9 : Quorum and Decisions**

1. The meeting of the Mediation and Security Council shall be properly constituted when at least two-thirds of its Members are present.

2. Decisions of the Mediation and Security Council shall be taken by a two-thirds majority vote of Members present.

**Article 10 : Functions**

1. The Mediation and Security Council shall take decisions on issues of peace and security in the sub-region on behalf of the Authority. It shall also implement all the provisions of this Protocol.

2. Pursuant to the provisions of Article 7 of this Protocol and Paragraph 1 above, the Mediation and Security Council shall:

(a) decide on all matters relating to peace and security;

(b) decide and implement all policies for conflict prevention, management and resolution, peace-keeping and security;

(c) authorise all forms of intervention and decide particularly on the deployment of political and military missions;

(d) approve mandates and terms of reference for such missions;

(e) review the mandates and terms of reference periodically, on the basis of evolving situations;

(f) on the recommendation of the Executive Secretary, appoint the Special Representative of the Executive Secretary and the Force Commander.

**Article 11 : Meetings of the Mediation and Security Council**

1. Deliberations of the Mediation and Security Council shall be held at three (3) levels: Heads of State and Government, Ministerial and Ambassadorial levels.

2. All meetings of the Mediation and Security Council shall be presided over by the Member State elected as the current Chairman of the Authority.

**Article 12 : Meeting at the Level of Heads of State and Government**

1. The Heads of State and Government of the Mediation and Security Council shall meet at least twice a year in ordinary sessions. Extraordinary Sessions may be convened by the Chairman when the need arises or at the request of a simple majority of the Members of the Council.

2. The Heads of State and Government of the Mediation and Security Council shall take final decisions on all issues under their authority and competence, including field missions and approve the terms of reference, for such missions.

**Article 13 : Meeting at the Ministerial Level**

1. The Ministers of Foreign Affairs, Defence, Internal Affairs and Security of the Mediation Security Council shall meet at least once every three (3) months to review the general political and security situation in the sub-region. They may also meet when the need arises.

2. The recommendations emanating from the Ministerial meetings shall be submitted to the member Heads of State and Government of the Mediation and Security Council.

**Article 14 : Meeting at the Ambassadorial Level**

1. ECOWAS Member States shall accredit Ambassadors as permanent representatives to the ECOWAS Executive Secretariat. These Ambassadors may also be those accredited to the Federal Republic of Nigeria.

2. The Ambassadors of Member States of the

(c) ECOWAS Cease-fire Monitoring Group (ECOMOG).

**Article 18 : Composition of the Defence and Security Commission**

1. The following representatives from Member States shall constitute the Defence and Security Commission:

   (a) Chiefs of Defence Staff or equivalent;

   (b) Officers responsible for Internal Affairs and Security ;

   (c) Experts of the Ministry of Foreign Affairs;

   (d) Depending on the agenda, Heads of any of the following services may be invited:

      (i) Immigration;
      (ii) Customs;
      (iii) Drug/Narcotic Agencies;
      (iv) Border Guards; and
      (v) Civil Protection Force.

**Article 19 : Functions**

1. The Defence and Security Commission shall examine all technical and administrative issues and assess logistical requirements for peace-keeping operations. It shall assist the Mediation and Security Council in:

   (a) formulating the mandate of the Peace-keeping Force;

   (b) defining the terms of reference for the Force;

   (c) appointing the Force Commander;

   (d) determining the composition of the Contingents.

2. The Defence and Security Commission shall meet once every quarter and when necessary. The Commission shall examine reports from the Observation and Monitoring Centres and make recommendations to the Mediation and Security Council.

**Article 20 : Composition and Mandate of the Council of Elders**

1. The Executive Secretary shall compile annually, a list of eminent personalities who, on behalf of ECOWAS, can use their good offices and experience to play the role of mediators, conciliators and facilitators. The list shall comprise eminent persons from various segments of society, including women, political, traditional and religious leaders. The list shall be approved by the Mediation and Security Council at the level of the Heads of State and Government.

2. These Personalities shall be requested by the Executive Secretary or the Mediation and Security Council, whenever the need arises, to deal with a given conflict situation.

3. Whenever the circumstances require, the Executive Secretary shall assemble eminent personalities from the approved list who shall now constitute the Council of Elders.

4. The composition and mandate of the Council of Elders shall be defined by the Executive Secretary on the basis of the missions to be carried out.

5. Members of the Council of Elders selected to deal with a given situation shall report to the Executive Secretary.

6. The Executive Secretary shall report to the Mediation and Security Council on the initiatives taken in conformity with the provisions of Paragraphs 2 and 3 of this Article

7. Members of the Council of Elders shall be neutral, impartial and objective in carrying out their mission.

**Article 21 : Composition of ECOMOG**

The ECOWAS Cease-fire Monitoring Group (ECOMOG) is a structure composed of several Stand-by multi-purpose modules (civilian and military) in their countries of origin and ready for immediate deployment.

**Article 22 : Role of ECOMOG**

ECOMOG is charged, among others, with the following missions:

(a) Observation and Monitoring;

(b) Peace-keeping and restoration of peace;

(c) Humanitarian intervention in support of humanitarian disaster;

Mediation and Security Council shall meet once a month to review issues relating to sub-regional peace and security. They may also meet when the need arises.

3. All reports and recommendations of meetings of the Ambassadors shall be forwarded by the Executive Secretary to all Member States of the Mediation and Security Council and to the Member States concerned. The Reports shall also be submitted for consideration by the meeting of Ministers of the Mediation and Security Council.

**Article 15 : Role and Functions of the Executive Secretary**

1. The Executive Secretary shall have the power to initiate actions for conflict prevention, management, resolution, peace-keeping and security in the sub-region. Such actions may include fact-finding, mediation, facilitation, negotiation and reconciliation of parties in conflict.

2. The role of the Executive Secretary shall include the following:

   (a) recommend the appointment of the Special Representative and the Force Commander for approval by the Mediation and Security Council;

   (b) appoint members of the Council of Elders;

   (c) have responsibility for political, administrative and operational activities and provide logistic support for the mission;

   (d) prepare periodic reports on activities of the Mechanism for the Mediation and Security Council and Member States;

   (e) deploy fact-finding and mediation missions, on the basis of his/her assessment of the existing situation;

   (f) convene, in consultation with the Chairman of the Authority, all meetings of the Mediation and Security Council, the Council of Elders, and the Defence and Security Commission;

   (g) Implement all decisions of the Mediation and Security Council.

3. The ECOWAS Secretariat shall service the Mediation and Security Council and the Defence and Security Commission.

4. In implementing the provisions of this Mechanism, the Executive Secretary shall be assisted by the Deputy Executive Secretary in charge of Political Affairs, Defence and Security.

**Article 16 : The Deputy Executive Secretary**

1. Under the direction of the Executive Secretary, the Deputy Executive Secretary in charge of Political Affairs, Defence and Security shall initiate and undertake all activities relating to the implementation of the Mechanism.

2. The office of the Deputy Executive Secretary for Political Affairs, Defence and Security, shall be headed by a statutory officer appointed in accordance with Paragraph 4 (a), Article 18 of the Treaty. He shall have under his supervision appropriate departments, divisions and sections, as may be necessary, including:

   (a) the Department of Political Affairs;

   (b) the Department of Humanitarian Affairs;

   (c) the Department of Defence and Security;

   (d) the Observation and Monitoring Centre; and

   (e) such other departments as may be established by the Council of Ministers on the recommendation of the Mediation and Security Council.

## CHAPTER III
## SUPPORTING ORGANS OF THE INSTITUTIONS OF THE MECHANISM

In carrying out their missions, the Institutions stipulated in Article 4 shall be assisted by the organs enumerated in Article 17 of this Protocol.

**Article 17 : Organs**

The following organs are hereby established to assist the Mediation and Security Council.

(a) The Defence and Security Commission;

(b) The Council of Elders;

(d) Enforcement of sanctions, including embargo;

(e) Preventive deployment;

(f) Peace-building, disarmament and demobilisation;

(g) Policing activities, including the control of fraud and organised crime;

(h) Any other operations as may be mandated by the Mediation and Security Council.

## CHAPTER IV
## SUB-REGIONAL PEACE AND SECURITY OBSERVATION SYSTEM (EARLY WARNING)

A sub-regional peace and security observation system known as the Early Warning System or "The System" is hereby established for the purposes of conflict prevention and in accordance with Article 58 of the Revised Treaty. The System shall consist of:

a. An Observation and Monitoring Centre located at the Secretariat;

b. Observation and Monitoring Zones within the sub-region.

### Article 23 : Observation and Monitoring Centre

1. The Observation and Monitoring Centre shall be responsible for data collection and analyses and preparation of reports for the use of the Executive Secretariat.

2. The Centre shall collaborate with the United Nations Organisation, the Organisation of African Unity, research centres and all other relevant international regional and sub-regional organisations.

### Article 24 : Observation and Monitoring Zones

1. Member States shall be divided into zones on the basis of proximity, ease of communication and efficiency. Each zone shall be identified by a number and each shall have a zonal headquarters. The following four (4) Observation and Monitoring Zones are hereby created:

| ZONE N° | COUNTRIES | ZONAL CAPITAL |
|---|---|---|
| 1. | Cape Verde<br>The Gambia<br>Guinea-Bissau<br>Mauritania<br>Senegal | - Banjul |
| 2. | Burkina Faso<br>Cote d'Ivoire<br>Mali<br>Niger | - Ouagadougou |
| 3. | Ghana<br>Guinea<br>Liberia<br>Sierra Leone | - Monrovia |
| 4. | Benin<br>Nigeria<br>Togo. | - Cotonou |

2. The zoning provided for in Paragraph 1 above may be altered, if necessary, by the Authority of Heads of State and Government.

3. Each zonal headquarters shall be provided with an office and placed under the authority of the Executive Secretary, through the office of the Deputy Executive Secretary.

4. Member States hereby undertake to guarantee the freedom of operations of the zonal headquarters in accordance with the privileges, immunities and security to property, assets and staff of the bureaux as provided by the ECOWAS General Convention on Privileges and Immunities and the Headquarters Agreement.

5. The Zonal Bureau shall maintain working relations with the host country and local and international institutions.

6. The Zonal Bureaux shall, on a state by state and day-to-day basis, collect data on indicators that impact on the peace and security of the zone and the sub-region.

7. The Zonal Headquarters shall process the data collected and prepare a report which they shall send to the Observation and Monitoring Centre. Accordingly, each of the Zonal Headquarters shall be directly linked by appropriate communication means to the Observation and Monitoring Centre.

## CHAPTER V
## APPLICATION OF THE MECHANISM

### Article 25 : Conditions for Application

The Mechanism shall be applied in any of the following circumstances:

(a) In cases of aggression or conflict in any Member State or threat thereof;

(b) In case of conflict between two or several Member States;

(c) In case of internal conflict:

(i) that threatens to trigger a humanitarian disaster, or
(ii) that poses a serious threat to peace and security in the sub-region;

(d) In event of serious and massive violation of human rights and the rule of law.

(e) In the event of an overthrow or attempted overthrow of a democratically elected government;

(f) Any other situation as may be decided by the Mediation and Security Council.

### Article 26 : Authority to Initiate

The Mechanism shall be put into effect by any of the following:

(a) Upon the decision of the Authority;

(b) Upon the decision of the Mediation and Security Council;

(c) At the request of a Member State;

(d) On the initiative of the Executive Secretary;

(e) At request of the Organisation of African Unity or the United Nations.

### Article 27 : Procedure

The Mechanism shall be applied according to any of the following procedures:

(a) The Executive Secretary shall inform Member States of the Mediation and Security Council and, in consultation with the Chairman, take all necessary and urgent measures;

(b) The Mediation and Security Council shall consider several options and decide on the most appropriate course of action to take in terms of intervention. Such options may include recourse to the Council of Elders, the dispatch of fact-finding missions, political and mediation missions or intervention by ECOMOG;

(c) The Mediation and Security Council shall issue a mandate authorising the Executive Secretary to set up a mission and define its terms of reference;

(d) Where necessary, the Mediation and Security Council shall appoint the principal officers, such as the Special Representative of the Executive Secretary and the ECOMOG Force Commander.

(e) The Chairman of the Mediation and Security Council shall submit a report on the situation to the Organisation of African Unity and the United Nations;

(f) The Executive Secretariat shall mobilise all the resources required for the operations.

## CHAPTER VI
## CONFLICT MANAGEMENT

### Article 28 : Composite Stand-by Units

1. Member States hereby agree to make available to ECOMOG units adequate resources for the army, air force, navy, gendarmerie, police and all other military, paramilitary or civil formations necessary for the accomplishment of the mission.

2. Each Member State shall provide ECOMOG with a unit the size of which shall be determined after consultation with each Member State.

3. The strengths of these units shall be reviewed according to the situation on the ground.

### Article 29 : Mandates of the Force and Missions of Deployed Units

Whenever the force is deployed, the strength, mandates and missions of the units shall vary according to the evolving situation on the ground.

**Article 30 : Training and Preparation of the Composite Stand-by Units**

1. The Executive Secretary, through the departments concerned and, in consultation with Member States, shall contribute to the in training of civilian and military personnel that shall be part of the stand-by units in various fields, particularly in international humanitarian law and human rights.

2. In this regard, he shall:

   (a) support the development of common training programmes and instruction manuals for national schools and training centres;

   (b) organise training and proficiency courses for personnel of the units in the regional centres in Côte d'Ivoire and Ghana;

   (c) work towards the integration of these centres into sub-regional centres for the implementation of this Mechanism.

   (d) take the necessary measures for the organisation of periodic staff and commanders' exercises and joint operations.

**Article 31 : Observation Missions**

1. Unarmed civilian and military personnel provided by Member States may be deployed alone or in conjunction with armed personnel. They shall, inter alia, supervise and monitor cease-fires, disarmament, de-mobilisation, elections, respect for human rights, humanitarian activities and investigate any complaints or claims brought to their notice. They shall undertake such other activities under the terms of reference as determined by the Mediation and Security Council.

2. The Observer Missions shall report on their activities and findings to the Executive Secretary.

**Article 32 : Appointment and Functions of the Special Representative**

1. On the recommendation of the Executive Secretary the Mediation and Security Council shall appoint a Special Representative for each Operation undertaken by ECOMOG.

2. The principal role and functions of the Special Representative shall include the following:

   (a) Serve as the Chief of the Mission and shall be responsible for the political orientation of the mission;

   (b) Direct peace-keeping activities and initiate political and diplomatic negotiations with the parties, neighbouring States and other Governments involved in conflict resolution;

   (c) Brief troop-contributing States and other States on the situation and operations of the mission as and when required;

   (d) Coordinate activities of the sub-regional and international organisations, including NGOs involved in humanitarian relief and peace-building activities in the mission area. Where necessary, he shall be assisted by a Deputy responsible for humanitarian affairs;

   (e) Maintain constant contact with and submit regular reports to the Executive Secretary.

**Article 33 : Appointment and Functions of the ECOMOG Force Commander**

1. On the recommendation of the Executive Secretary an ECOMOG Force Commander shall be appointed by the Mediation and Security Council and in consultation with the Defence and Security Commission for each operation.

2. The role and functions of the ECOMOG Force Commander shall include the following:

   (a) He shall be responsible for the efficiency of operational, administrative and logistical plans of the mission;

   (b) He shall issue instructions to contingent commanders for all operational activities.

   (c) He shall ensure the security of personnel and materiel of humanitarian organisations' in the mission area.

   (d) The ECOMOG Force Commander is accountable to the Executive Secretary, through the Special Representative.

**Article 34 : The Chain of Command**

1. The Special Representative shall report directly to the Executive Secretary.

2. The Force Commander shall report to the Executive Secretary through his Special Representative.

3. All Contingent Commanders shall report directly to the Force Commander.

4. All Civil Units shall report directly to the Special Representative.

**Article 35 : Role of Member States**

In addition to their responsibilities as stipulated by the Treaty and this Protocol:

(a) Each Member State shall immediately, upon request, release Stand-by Units with the necessary equipment and materiel;

(b) Member States hereby undertake to fully cooperate with ECOWAS in carrying out the mandates of this Protocol, including all forms of assistance and support required for the Mechanism, especially as regards the free movement of ECOMOG within their territories.

## CHAPTER VII
## FINANCING OF THE MECHANISM

**Article 36 : Funding**

1. The Executive Secretariat shall make provision in its annual budget, for funds to finance activities of the Mechanism. As soon as the Protocol governing conditions for application of the Community Levy enters into force, a percentage of the said Levy shall be earmarked for these activities.

2. Special requests for funds shall be made to the United Nations and other international agencies.

3. Funds for operations may also be raised from the OAU, voluntary contributions and grants from bilateral and multilateral sources.

**Article 37 : Pre-Financing**

1. The States contributing contingents may be invited to bear the cost of operations during the first three (3) months.

2. ECOWAS shall refund the expenditure incurred by the States within a maximum period of six (6) months and then proceed to finance the operations.

**Article 38 : Logistical Support**

The organisation of logistics, including troop transport, shall be determined by the Executive Secretariat in consultation with the host country and the States contributing troops.

**Article 39 : Remuneration and Service Conditions**

The remuneration and conditions of service of the personnel shall be determined by the Council of Ministers on the recommendation of the Mediation and Security Council.

## CHAPTER VIII
## HUMANITARIAN ASSISTANCE

ECOWAS shall take active part in coordinating and conducting humanitarian assistance.

**Article 40 : Responsibilities of ECOWAS**

1. ECOWAS shall intervene to alleviate the suffering of the populations and restore life to normalcy in the event of crises, conflict and disaster.

2. In this regard, ECOWAS shall develop own capacity to efficiently undertake humanitarian actions for the purposes of conflict prevention and management.

3. Where the environment of a Member State is gravely devastated, appropriate steps shall be taken to rehabilitate it.

4. ECOWAS shall recognise, encourage and support the role of women in its initiatives for conflict prevention, management, resolution, peace-keeping and security.

**Article 41 : Cooperation with Other Organisations**

1. ECOWAS shall cooperate with the following institutions and organisations:

   (a) national, regional NGOs and religious organisations;

   (b) Organisation of African Unity, the United Nations and its agencies;

(c) other international organisations intervening in the humanitarian sector.

2. The ECOMOG unit shall be adequately equipped to undertake humanitarian activities in their mission area under the control of the Special Representative of the Executive Secretary.

3. ECOMOG shall provide assistance to all national, regional and international agencies, particularly on security issues.

4. When necessary, ECOMOG shall coordinate the activities of humanitarian agencies in the field.

## CHAPTER IX
## PEACE-BUILDING

The Community hereby adopts a graduated strategy for building peace which shall be implemented as a continuum.

### Article 42 : ECOWAS Institutional Capacity for Peace-Building

1. To stem social and political upheavals, ECOWAS shall be involved in the preparation, organisation and supervision of elections in Member States. ECOWAS shall also monitor and actively support the development of democratic institutions of Member States.

2. ECOWAS shall endeavour to assist Member States emerging from conflicts to increase their capacity for national, social, economic and cultural reconstruction.

3. In this regard, all ECOWAS financial institutions shall develop policies to facilitate funding for reintegration and reconstruction programmes.

### Article 43 : Peace-Building During Hostilities

In zones of relative peace, priority shall be accorded to implementation of policies designed to reduce degradation of social and economic conditions arising from conflicts.

### Article 44 : Peace-building at the End of Hostilities

To assist Member States that have been adversely affected by violent conflicts, ECOWAS shall undertake the following activities:

(a) Consolidation of the peace that has been negotiated;

(b) establishment of conditions for the political, social and economic reconstruction of the society and governmental institutions;

(c) Implementation of disarmament, demobilisation and reintegration programmes including those for child soldiers;

(d) Resettlement and reintegration of refugees and internally displaced persons;

(e) Assistance to vulnerable persons, including children, the elderly, women and other traumatised groups in the society.

### Article 45 : Restoration of Political Authority

In situations where the authority of government is absent or has been seriously eroded, ECOWAS shall support processes towards the restoration of political authority. Such support may include the preparation, organisation, monitoring and management of the electoral process, with the cooperation of relevant regional and international organisations. The restoration of political authority shall be undertaken at the same time as the development of respect for human rights, enhancement of the rule of law and the judiciary.

## CHAPTER X
## SUB-REGIONAL SECURITY

### Article 46 : Control of Trans-Border Crime

1. In order to facilitate the control of trans-border crime, ECOWAS shall promote close cooperation among the security services of Member States.

2. The security services of Member States shall assist one another and ensure proper coordination for the apprehension of criminals.

3. Member States shall establish specialised departments within their ministries of Justice, Defence and Security with trained personnel and communication equipment for coordination and centralisation of cooperation matters in particular, mutual assistance in criminal matters, and extradition requests.

4. Member States shall supply the Executive Secretariat with documents setting out the details of criminal procedures in their countries. The information provided by Member States shall include a summary of the criminal process, from

beginning to end, and shall outline what is needed for each State to grant a request for mutual assistance, extradition or the restraint or forfeiture of proceeds of crime. Member States shall also provide all the contract particulars for their national units and exchange information concerning any other relevant authorities and provide updated lists of the said units. The information shall be translated and circulated by the ECOWAS Secretariat to all the specialised units (Central authorities) established to handle requests and other related matters that may arise in the course of implementation.

5. With a view to strengthening national legal instruments on mutual legal assistance and extradition and making them more functional and efficient, all Member States shall harmonize their domestic law in accordance with the relevant ECOWAS Conventions on Mutual Assistance in Criminal Matters and Extradition. Member States undertake to adopt a convention to incriminate and make punishable the most commonly committed crimes in the sub-region.

6. Member States shall keep statistics, in particular, on the number of mutual legal assistance and extradition requests received and sent, as well as results obtained. There shall also be periodic meetings of the specialised departments of the Ministries of Justice, Defence and Security and the Interpol National Central Bureaux for the purpose of exchanging information on past or on-going cases and on measures aimed at improving cooperation.

7. Member States shall develop simplified restitution procedures for vehicles and other stolen objects seized by the requested State.

8. The judicial and police authorities of ECOWAS Member States shall consider the red notices published by the ICPO-Interpol at the request of an ECOWAS Member State as valid requests for provisional arrest for the purpose of Article 22 of the ECOWAS Convention on Extradition.

9. Member States shall establish a special fund for detected proceeds of crime. This fund can be used for preventive and criminal justice response to, inter alia, trans-border crime and drug trafficking. Member States shall also give consideration to the establishment of confiscated asset management offices, where required.

10. Legislation on forfeiture of proceeds of crime in Member State shall be applicable to all crimes.

11. ECOWAS shall establish a Crime Prevention and Criminal Justice Centre (ECPCJS) to serve as focal point for mutual legal assistance. The Centre shall be part of the Legal Department within ECOWAS. This ECPCJC shall assist in linking up ECOWAS Member States to non-ECOWAS Member States in Mutual Assistance Matters. It shall also serve as a supervisory power to ensure that countries implement conventions they sign.

**Article 47 : Coordination of Policies**

The Executive Secretary shall be responsible for the coordination and implementation of all decisions relating to sub-regional security.

**Article 48 : Anti-Corruption Measures**

To eradicate corruption within their territories and in the sub-region, ECOWAS and its Member States shall promote transparency, accountability and good governance.

**Article 49 : Measures Against Money Laundering**

The ECOWAS Secretariat and Member States shall adopt strategies for combatting the problem of money laundering, by extending the scope of offences, enabling the confiscation of laundered proceeds and illicit funds and easing bank secrecy laws within and outside the sub-region.

**Article 50 : Control of the Proliferation of Small Arms**

While taking into account the legitimate national defence and security needs, and those of international peace-keeping operations, ECOWAS shall establish effective measures to:

(a) control the importation, exportation, manufacture and eradicate the flow of small arms.

(b) register and control the movement and use of legitimate arms stock;

(c) detect, collect and destroy all illicit weapons;

(d) encourage Member States to collect and destroy all surplus weapons.

**Article 51 : Preventive Measures Against the Illegal Circulation of Small Arms**

1. ECOWAS shall take all the necessary measures to combat illicit trafficking and circulation of small arms. These measures shall include:

   (a) developing a culture of peace;

   (b) training for military, security and police forces;

   (c) enhance weapons control at border posts;

   (d) establishment of a database and regional arms register;

   (e) collection and destruction of surplus and illegal weapons;

   (f) facilitating dialogue with producers and suppliers;

   (g) reviewing and harmonising national legislation and administrative procedures;

   (h) mobilising resources.

2. ECOWAS shall strengthen its institutional and operational capabilities and those of its Member States for the effective implementation of the measures mentioned in Paragraph 1 above.

3. The Executive Secretariat's Department of Political Affairs, Defence and Security shall coordinate and monitor implementation of all programmes and activities and shall analyse information from the zonal headquarters.

4. In order to promote and ensure coordination of concrete measures at national level, Member States shall, in accordance with guidelines adopted by ECOWAS, establish national commissions made up of representatives of the relevant authorities and the civil society.

5. At the beginning of any ECOMOG peacekeeping operations, all dedicated light weapons and ammunition shall be declared to the Executive Secretariat so as to ensure their effective control as well as removal upon completion of the operations.

6. All weapons collected during any disarmament exercise shall be destroyed.

## CHAPTER XI
## COOPERATION WITH THE ORGANISATION OF AFRICAN UNITY, UNITED NATIONS AND OTHER INTERNATIONAL ORGANISATIONS

**Article 52 : Cooperation**

1. In pursuit of its objectives, ECOWAS shall cooperate with the Organisation of African Unity (OAU), the United Nations Organisation (UNO) and other relevant international organisations.

2. In the implementation of this Mechanism, ECOWAS shall fully cooperate with the OAU Mechanism for Conflict Prevention, Management and Resolution.

3. In accordance with Chapters VII and VIII of the United Nations Charter, ECOWAS shall inform the United Nations of any military intervention undertaken in pursuit of the objectives of this Mechanism.

## CHAPTER XII
## SPECIAL PROVISIONS

**Article 53 : Abrogation**

1. The provisions of this Protocol shall replace all the provisions of the ECOWAS Protocol relating to Mutual Assistance in Defence signed on 29th May, 1981, which are in conflict with the spirit of this Protocol.

2. The provisions of the Protocol on Non-Aggression signed on 22nd April, 1978, which are incompatible with those of the present Protocol are hereby declared null and void.

3. Undertakings devolving from the provisions of this Protocol shall not be interpreted as being against the spirit of Conventions or Agreements between one Member State and a third State; provided such Conventions and Agreements are consistent with the spirit of this Protocol, otherwise, such provisions are null and void.

**Article 54 : Rationalisation of Subregional Institutions**

1. ECOWAS shall take necessary measures to rationalise all mechanisms, institutions and organs of the sub-region, having similar aims and objectives with this Mechanism.

2. To this end, ANAD may be transformed into a specialised agency of ECOWAS.

## CHAPTER XIII
## GENERAL AND FINAL PROVISIONS

**Article 55 : Amendments**

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

2. Any such proposals shall be submitted to the Executive Secretary who shall notify other Member States not later than thirty days after the receipt of such proposals. Amendments or revisions shall not be considered by the Authority unless Member States shall have been given at least one month's notice thereof.

3. Amendments or revisions shall be adopted by the Authority.

**Article 56 : Withdrawal**

1. Any Member State wishing to withdraw from this Protocol shall give a one-year written notice to the Executive Secretary who shall inform Member States thereof. At the end of this period of one year, if such notice is not withdrawn, such a State shall cease to be a party to the Protocol.

2. During the period of one year referred to in the preceding paragraph, such a Member State shall nevertheless continue to observe the provisions of this Protocol and discharge its obligations thereunder.

**Article 57 : Entry into Force**

1. This Protocol shall enter into force provisionally upon signature by Heads of State and Government. Accordingly, signatory Member States and the Executive Secretariat hereby undertake to start implementing all provisions of this Mechanism upon signature.

2. This Protocol shall definitely enter into force upon ratification by at least nine (9) signatory States in accordance with the constitutional procedures of each Member State.

**Article 58 : Depository Authority**

This Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies to all Member States and notify them of the dates of deposit of instruments of ratification by the Member States and shall register it with the Organisation of African Unity (OAU), as well as the United Nations (UN) and any other Organisation as may be decided by the Council.

**IN FAITH THEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HAVE SIGNED THIS PROTOCOL.**

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999.**

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

**Mathieu KEREKOU**
President of the Republic
of Benin

**H.E. Blaise COMPAORE**
President of Faso, Chairman, Council of
Ministers of Burkina Faso

**Hon. Alexandre Dias MONTEIRO**
Minister of Commerce, Industry
and Energy, For and on behalf of the
President of Cabo Verde.

**H.E. Henri Konan BEDIE**
President of the Republic of Côte d'Ivoire

**H.E. Mrs Isatou NJIE-SAIDY**
Vice-President, Secretary of State for Health, Labour,
Social Welfare and Women's Affairs, For and on
behalf of the President of the Republic of The Gambia

**H.E. Flt.-Lt. Jerry John RAWLINGS**
President of the Republic of Ghana

**Hon. Zainoul Abidine SANOUSSI**
Minister of Foreign Affairs in the
President's Office
For and on behalf of the President
of the Republic of Guinea

**Hon José Pereira BATISTA**
Minister of Foreign Affairs and International
Cooperation For and on behalf of the President of the
Republic of Guinea-Bissau

**Hon. Enoch DOGOLEAH**
Vice- president
For and on behalf of the President of Liberia

**H.E. Alpha Oumar Konare**
President of the Republic of Mali

**Hon. Sidi Mohamed Ould BOUBACAR**
Minister, Secretary-General at the Presidency
For and on behalf of the President of the Islamic Republic of Mauritania

**H.E.Squadron Leader Daouda Malam WANKE**
President of the Council for National Reconciliation, Head of State of the Republic of Niger

**H.E. Olusegun OBASANJO**
President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria

**H.E. Abdou DIOUF**
President of the Republic of Senegal

**H.E. Ahmad Tejan KABBAH**
President of the Republic of Sierra Leone

**H.E. Gnassingbé EYADEMA**
President of the Togolese Republic

## DECISION A/DEC.1/12/99 RELATING TO THE ADOPTION OF A SUB-REGIONAL ACTION PROGRAMME TO COMBAT DESERTIFICATION IN WEST AFRICA

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

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

MINDFUL of the United Nations Convention adopted on 17th June, 1994, to combat desertification in countries seriously affected by drought and/or desertification, particularly in Africa;

MINDFUL of the conclusions of the meeting of experts from ECOWAS and CILSS Member States, to consider the sub-regional action programme to combat desertification, which took place in Lomé from 20th to 22nd May, 1999;

DEEPLY CONCERNED by the grave socio-economic and ecological effects of drought and desertification for the sub-region;

CONVINCED of the pressing need to strengthen sub-regional cooperation in matters relating to desertification control and mitigation of the effects of drought, with a view to contributing to the sustained development of the ECOWAS Member States;

REAFFIRMING the unwavering commitment of the countries of the sub-region to the deployment of all necessary means to combat desertification;

ON THE RECOMMENDATION of the Forty-fourth Session of the Council of Ministers held in Abuja from 18th to 20th August, 1999.

**HEREBY DECIDES**

**Article 1**

The sub-regional action programme to combat desertification in the ECOWAS Member States, attached hereto, is hereby adopted.

**Article 2**

The ECOWAS Executive Secretary, in collaboration with CILSS shall commence negotiations with development partners with a view to facilitating the mobilisation of necessary resources for the implementation of the programme.

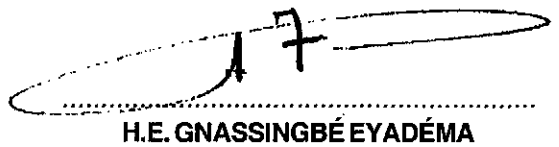
**Article 3**

The ECOWAS Executive Secretariat, in collaboration with CILSS, shall identify and ensure timely execution of appropriate and concrete measures, consistent with the sub-regional action programme, and in conformity with the principles, orientations and modalities approved by the meeting of Ministers of Environment.

**Article 4**

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 by each Member State in its National Gazette within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES (ECOWAS)

PERMANENT INTER-STATE COMMITTEE
FOR DROUGHT CONTROL IN THE SAHEL (CILSS)

INTERNATIONAL CONVENTION
TO COMBAT DESERTIFICATION (CCD)

# SUB-REGIONAL ACTION PROGRAMME TO COMBAT DESERTIFICATION IN WEST AFRICA AND CHAD

FEBRUARY 1999

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# ACRONYMS AND ABBREVIATIONS

| | |
|---|---|
| NBA: | Niger Basin Authority (Niamey, Niger) |
| ACMAD: | African Centre for Meteorological Application to Development |
| WARDA: | West African Rice Development Association (Bouake) |
| AGRHYMET: | Regional Centre for Training and Application in Agro-meteorology and Operational Hydrology *(Specialised Institution of CILSS, based in Niamey)* |
| NAFTA: | North American Free Trade Association |
| LGA: | Liptako-Gourma Authority |
| PDA: | Public Development Aid |
| ASEAN: | Association of South East Asian Nations |
| ADB: | African Development Bank |
| LCBC: | Lake Chad Basin Commission |
| CCD: | Convention to Combat Desertification |
| ECA: | United Nations Economic Commission for Africa |
| CFA: | African Financial Community |
| ECOWAS: | Economic Community of West African States (Abuja, Nigeria) |
| CILSS: | Permanent Inter-State Committee for Drought Control in the Sahel |
| CORAF: | Conference of African Heads of Agronomic Research |
| CRTO: | Regional Remote Sensing Centre |
| EDA: | Third World: Environment and Development in Africa (Dakar, Senegal) |
| ICRISAT: | International Crops Research Institute for the Semi-Arid Tropics (Parancheru, India) |
| HDI: | Human Development Index |
| INSAH: | Sahel Institute (specialised institution of CILSS, based in Bamako) |
| DC: | Desertification Control |
| MERCUSOR: | South Zone Common Market comprising Brazil, Argentina, Uruguay, Paraguay and Bolivia |
| MRU: | Mano River Union |
| MULPOC: | Multinational Centre for Project Programming and Implementation for West Africa |
| IGO: | Inter-governmental Organisation |
| OMVG: | Organisation for the Development of River Gambia |
| OMVS: | Organisation for the Development of River Senegal |
| NGO: | Non-governmental Organisation |
| EAP: | Environment Action Plan |
| TFAP: | Tropical Forestry Action Plan |
| NAP: | National Action Plan |
| NRMP: | Natural Resource Management Program |
| GDP: | Gross Domestic Product |
| LDC: | Least Developed Countries |
| GNP: | Gross National Product |
| UNDP: | United Nations Development Programme |
| UNEP: | United Nations Environmental Programme |
| RIO.OA: | International NGO Network on Desertification |
| EWS: | Early Warning System |
| UEMOA: | West African Economic and Monetary Union |
| UNSO: | United Nations Sudane-Sahelian Office |
| USAID: | United States Agency for Development |
| AFTZ: | American Free Trade Zone |

## SUMMARY

For centuries, African societies have exploited their environment to advantage, on the basis of production systems which ensured the regeneration or natural resources. Since the end of the 19th century those systems have run into a crisis. Over the past two decades, that crisis has assumed an increasingly disturbing dimension as the climate has deteriorated, the annual and human population has burgeoned and increasingly less space has become available for productive activities. Faced with the negative effects of drought and desertification across many continents, the international community has come to realise that these phenomena now constitute challenges which the entire humanity must face up to in the 21st century.

Against the background of trade globalization, and the revolution in the information, communication and technological spheres, Africa, with increasing awareness of the gravity of difficulties confronting her and of the menace of marginalisation, has decided to embark on sustainable human development as a way out of the crisis. The adoption of the CCD in 1994, and its entry into force (1996) sparked off a spate of activities, particularly the drawing-up of sub-regional action programmes to combat desertification and the adverse effects of drought.

This Sub-Regional Action Programme to combat desertification in West Africa (SRAP) is the product of numerous meetings and consultations between representatives of all the stakeholders. It is a framework of orientation, reference, arbitration and harmonisation and is intended to lead to consistency of actions in the battle against desertification and the harmful effects of drought. All stakeholders in the sub-region willing to draw up desertification projects and programmes must henceforth refer to the eight (8) areas of priority action identified, viz:

i. sustainable management or shared water resources.
ii. sustainable management of shared plant and animal resources;
iii. scientific and technological cooperation;
iv. development and rational management of energy resources;
v. control of crop, forestry and animal pests;
vi. early warning and drought alleviation;
vii. information communication;
viii. coordination policies for marketing regimes and establishment of common infrastructure.

These eight (8) areas have been selected based on an analysis of the causes, manifestations and effects of desertification in the sub-region, and on the study of past experiences of desertification control in the sub-region. Other considerations concerned the assets that should be capitalised upon and the constraints which must be overcome for more effective control of drought and desertification.

West Africa has garnered rich experience in the last two decades. The application of different strategies, from food self-sufficiency to food security, experimentation with different approaches by several institutions (the World Bank. UNDP, FAO, USAID, UICN) have however yielded very meagre results. The lessons have been taken into account in the elaboration of the SRAP and should serve as landmarks in its implementation by the different categories of actors concerned.

To ensure the implementation and monitoring off SRAP activities the stakeholders have evolved coordinating mechanisms which are applied through the following major organs:

- The ECOWAS Authority of Heads of State and Government, enlarged to include Chad. This is the

decision making body and is the supreme authority in matters pertaining to the direction to be taken by the SRAP. Its meetings are prepared by ECOWAS.

The sub-regional forum which meets every three years, attended by representatives of all categories of actors. It evaluates implementation or SRAP, suggests necessary reforms to its orientation and determines the major lines of activities.

- The Sub-Regional Coordinating Committee (SRCC) chaired by ECOWAS and which meets at least once a year and as occasion demands. It is made up of representatives of the 17 countries participating in the programme, the two liaison centres, CILSS and ECOWAS, thematic lead organisations, major sub-regional organisations from civil society, representatives of development partners, the committee determines the priorities of SRAP. The Committee decides the choice of action, and ratifies the various documents and recommendations.

- The Technical Secretariat of the SRCC is placed under the supervision of CILSS. It arranges the meetings of SRCC and the Forum, monitors and evaluates the actions undertaken within the context of the SRAP.

In the present context of economic globalization, implementation of the SRAP is an imperative for the West African sub-region if it is to avert the risk of losing its natural resources and being marginalised by the rest of the continent. Drawing lessons from the limitations and shortcomings of their previous desertification control efforts, the countries and peoples of the West African sub-region have committed themselves to implementing the SRPA. They have chosen in this regard to depend on their own resources, and to consider external support as being supplemental to their own resources. The different categories or players, mostly States, IGOs and civil society groups are all requested to make annual budgetary provisions to cover SRAP activities. A sub-regional Facilitating Fund shall be created to ensure transparent and efficient management resources mobilised.

## PREAMBLE

The third millennium is just around the corner and brings with it historic challenges for humanity: the conquest and control of nuclear energy, the war against drugs and narcotics; toxic waste management and storage; protection of the environment and biodiversity. Others include the mastering of genetics and biotechnology, control of endemic diseases, particularly AIDS, the elimination of exclusion under any guise. The commitment of citizens of the planet, acting through their governments to face these challenges together and find viable solutions to their common concerns is indeed unprecedented. Thus begins a new era in the search for peace and development.

The initiative to organise the fight against desertification and the negative effects of drought at the international community level was taken at the instance of Africans, especially West Africans. Thus, in line with the conclusions reached at the Rio (Earth) Conference (1992), the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa (CCD) was adopted on 17th June 1994 in Paris and presented for signature in October of the same year. It became effective on December 26, 1996.

For the entire international community, this marked a new phase in the implementation of the convention, founded on respect for translating commitments undertaken by all parties into concrete actions. The Sub-Region Action Programme (SRAP) for West Africa is the product of numerous meetings and consultations involving representatives of all the stakeholders. It is aimed at drawing up a framework for orientation, reference, mediation and coordination and for directing actions aimed at combatting desertification and the negative effects of drought in the following counties: Benin Republic, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea Bissau, Guinea (Conakry), Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo and Chad.

The countries and peoples of the West-African sub-region are committed to implementing the SRAP, applying every effort possible to mobilise the necessary human and material resources, and drawing upon the lessons of on-going experiments and transformations evolving. In all this, they have chosen to give priority to using their own resources.

# INTRODUCTION

In Africa, particularly in West Africa, drought and desertification are major obstacles to economic and social development. The international community became fully aware of this at the Rio (Earth) conference (June 1992), and gave it expression in 1994 through the adoption of the Convention to Combat Desertification (CCD). The Sub-regional Action Programmes (SRAP) therefore emanates from the provisions of the CCD. This programme, which is the expression of the commitment and obligations of states and all the stakeholders, reflects the main preoccupations of the countries concerned. Designed as an iterative programme, it will be constantly enriched through a continuous, participatory process, the experiences of all actors, the data obtained from the changes noted and projects undertaken within the sub-region, and by the results of studies and research.

The SRAP occupies a central position in the strategy for desertification and drought control. It aims mainly to "harmonise, complement and make national programmes more efficient". This means, therefore, that rather than being a mere juxtaposition of projects, the programme aims first and foremost to increase the compatibility and synergy of actions of all partners, in order to reach a point of no-return in the effort to contain the problems.

Relying on a sound knowledge of economic, political, cultural and social realities, and on the identification of the common interests of countries of the sub-region, the SRAP is being implemented based on the principle of participation by all concerned. All the stakeholders in the sub-region were involved at every stage of the process, from conception through the identification of the main players, to the establishment of SRAP. The many meetings held throughout the process enabled an atmosphere of permanent consultation and allowed a consensus of opinion on many points. Among these were the determination of the criteria for eligibility of projects (Dakar, July 1995), the design strategy of the SRAP (Lome, February 1996), the eight priority areas and the establishment of coordinating and financing mechanisms (Niamey Forum, July 1997). A consensus was also reached on the composition of the eight thematic groups and the designation of thematic lead organisations (Accra, December 1997), and on the deepening of understanding and scope of the eight priority areas (Ouagadougou, January and March, 1998).

The SRAP is therefore the fruit of long and collective reflection on the realities of the sub-region, which, at present, is characterised by an accelerated degradation of the ecosystems, a high population growth, a depressed economic situation and increased indebtedness, aggravated poverty and inadequate desertification control efforts. On the reverse side of this particularly difficult situation, we have the sub-region's abundant natural and human resources, its young population - a potentially great asset, the possibility for all the actors to learn from local and international experiences and to commit themselves to seeking new orientations which can bring viable and durable solutions. The SRAP is proposing the eight priority areas identified, based on a clear, realistic perception of the current situation, and an optimistic outlook for the future. All desertification control endeavours must henceforth be situated within these eight areas of action.

This document is not a blueprint of projects, or programmes for financing. It is rather a strategic framework of reference and a guide for identification of actions meant to meet criteria that are of relevance to the sub-region. The measures proposed are not for immediate implementation across the West African territory. Rather, they are meant to be undertaken as dictated by set priorities and within the limits of the capacity of the countries and the stakeholders.

# PART ONE
# GENERAL CONTEXT

## CHAPTER 1
## GENERAL PRESENTATION OF THE WEST AFRICAN SUB-REGION

WEST AFRICA: The countries covered by the current action programme to combat desertification in West and Central Africa constitute a vast geographical and political expanse of 6,590,000 km$^2$ with a population estimated at nearly 250 million (30% of the continent's entire population). These countries, presented in Map No. 1, can be classified into two main groups:

- The eight Sahelian countries: Burkina Faso, Cape Verde, Gambia, Mali, Mauritania, Niger, Senegal and including Chad. They occupy a surface area of over 5,400,000 square kilometres.
- The countries of the Gulf of Guinea which together, cover an area estimated at 1,190,000 square kilometres. They are nine (9) in number: Benin, Cote d' Ivoire, Ghana, Guinea, Guinea Bissau, Liberia, Nigeria, Sierra Leone and Togo.

All these countries, except Chad are members of ECOWAS

### 1. PHYSICAL FEATURES

#### *1.1 Climate*

**THE SAHEL** in its continental segment (excluding Cape Verde island) is part of a bigger regional area comprising five rainfall zones, namely:

- a Saharan zone (less than 150 mm),
- a Sahelian zone (between 150 and 400 mm)
- a Sudano - sahelian zone (between 400 and 600mm)
- a Sudan zone (600 - 900mm)
- a Sudano - Guinean zone (between 900 - 1200 mm)

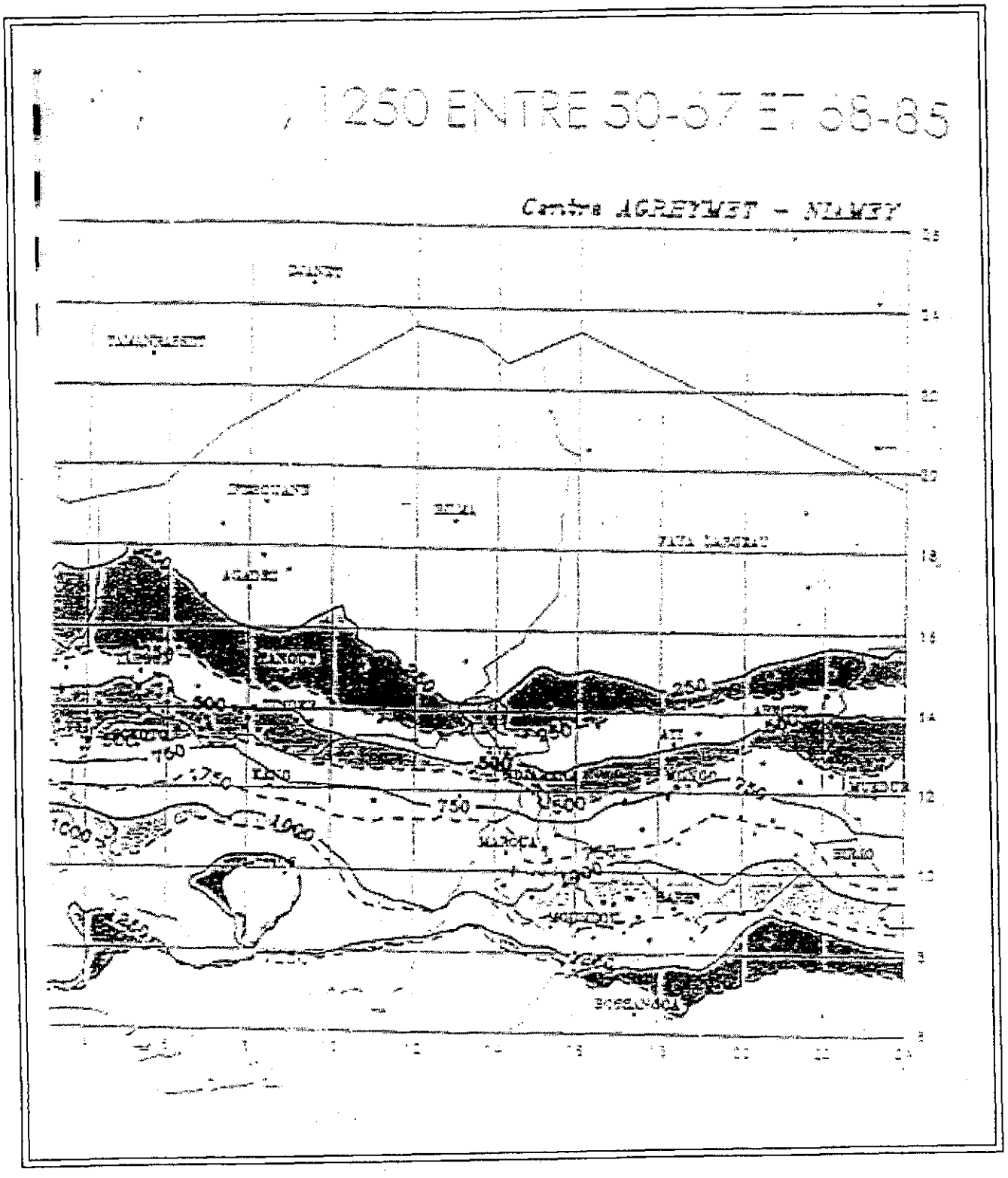
In these different areas of rainfall, evapo-transpiration exceeds rainfall during a greater part of the year, such that without irrigation only one harvesting would be possible per year. The great irregularity of annual rains in this part of the sub-region translates more and more often into periods of drought, with disastrous effects for people and for the environment. The past thirty years have seen a significant North -South slide of the isohyets (cf Map. 1.)

The countries in the Gulf of Guinea are characterised by a humid, tropical climate on the maritime fringe and by a dry climate in zones neater the North. Average annual rainfall is between 2,000 and 2,500 millimetres, alternating between two rainy and two dry seasons. Temperatures vary between 22 and 30 degrees.

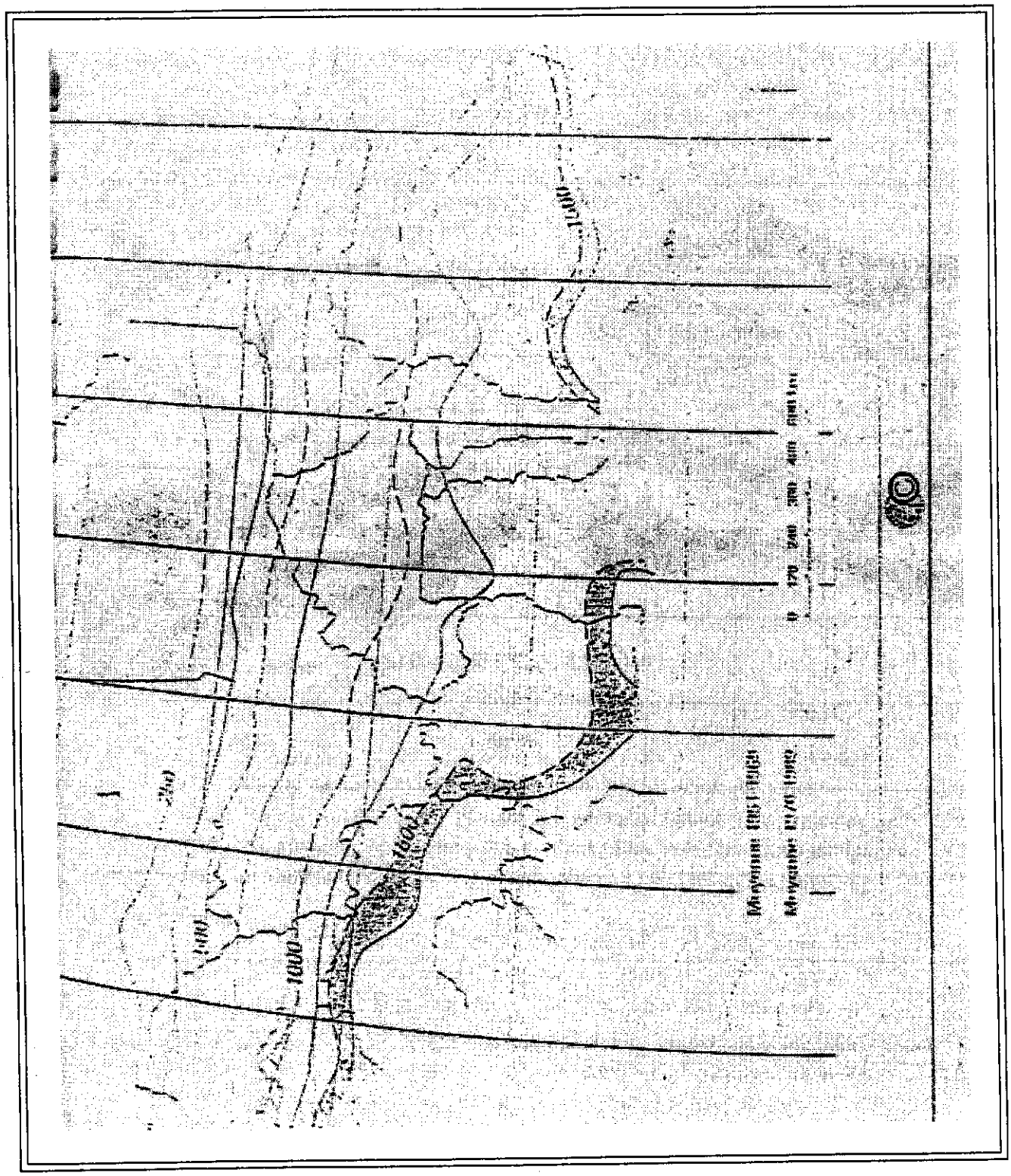
#### *1.2 Soils*

The soils in the Gulf of Guinea are rich though fragile. Soils in most of the Sahelo - Sudan zones are however, near-barren and are particularly poor in nitrogen and phosphates. Mostly, they are shallow soils with very little fine clay content, and are moreover subjected to the corrosive effects of heat, waters and winds. The harmattan wind which blows throughout the dry season in the North-East sector is responsible

for the wind erosion which affects mostly the Saharan – Sahelian and Sahelian zones. Also, during this dry season, the grassy vegetation is lost to both drought and bush-fires. Soils thus stripped bare are then subjected to daytime temperatures of up to 45oC.




*MAP 1 CHANGES IN THE ISOHYETS*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### 1.3 Water Resources

**Countries in the Gulf of Guinea** enjoy favourable climatic conditions with heavy annual rainfall which enhances the abundance of water resources. Most of the major rivers in West Africa have their sources in the highlands of Guinea, notably the River Niger, River Senegal etc.

**In the Sahelian countries,** water resources are scant; nonetheless the major rivers and streams provide enough water for irrigation at certain points along their course. In addition, rivulets and lakes are an important local source of water for dry - season farming. The surface phreatic waterbeds, which provide most of the water supply in villages, depend on both rainfall and the judicious management of natural resources, notably the natural surface vegetation which holds back surface water from running off. It also enhances infiltration and reduces silting in rivers and streams while improving their water reserve capacity. **The entire sub-region** is plied by many watercourses, the major ones being:

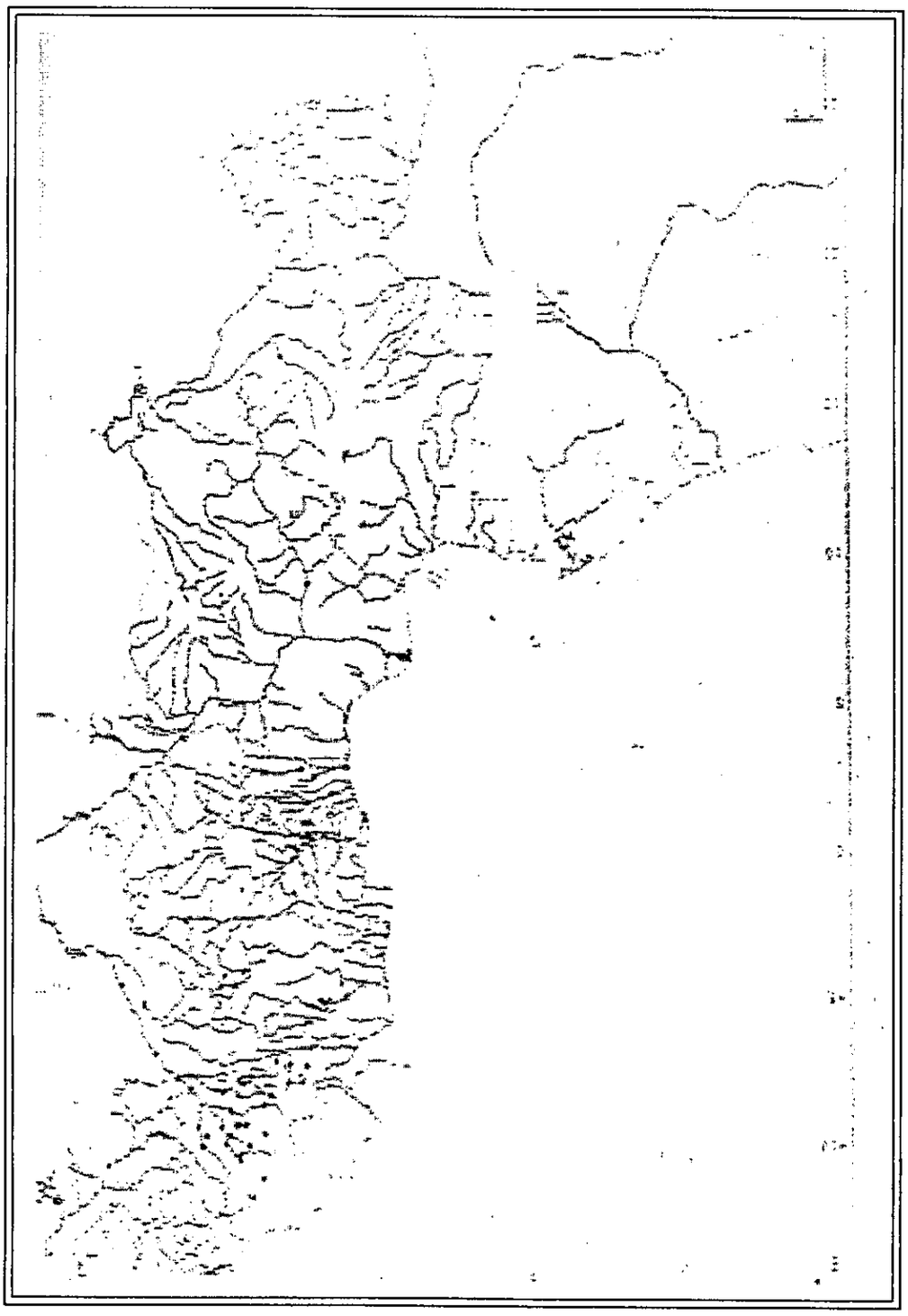
- The River Niger with its source in the Fouta Jallon mountains of Guinea; it traverses Mali, Niger and Nigeria before joining the Atlantic Ocean. It is the biggest shared river in West Africa. Its basin, estimated to be over 2,200,000 sq.km covers eight West and Central African countries: Guinea, Mali, Nigeria, Benin, Burkina Faso, Cote d'Ivoire and Cameroon.
- River Senegal which also flows from the Fouta Jallon mountains of Guinea, passes through Mali, Mauritania and Senegal before flowing into the Atlantic Ocean. It is West Africa's second largest shared river, with a river basin of 337,000 square kilometres and is 1,800 km long.
- River Gambia, with its source in Guinea, traverses Senegal and Gambia before flowing into the Atlantic. It is the third big trans-border river in West Africa with a river basin of 78,000 square kilometres spread across Senegal (70.22%), Guinea (16.46%), Gambia (13.30%) and Guinea Bissau (0.02%).
- Rivers Comoe (Burkina Faso, Cote d'Ivoire and Ghana), Volta (Burkina Faso and Ghana), Mono (Benin and Togo), Oueme (Benin and Nigeria), Mano (Sierra Leone and Liberia), Kaba and Kolente (Guinea, Sierra Leone), Koliba (Guinea, Guinea Bissau) etc...
- Lake Chad

Most of these rivers and water basins play an important role in the socio - economic development of riparian/coastal countries (fishing, navigation, irrigation, energy, agriculture, animal husbandry, etc.)

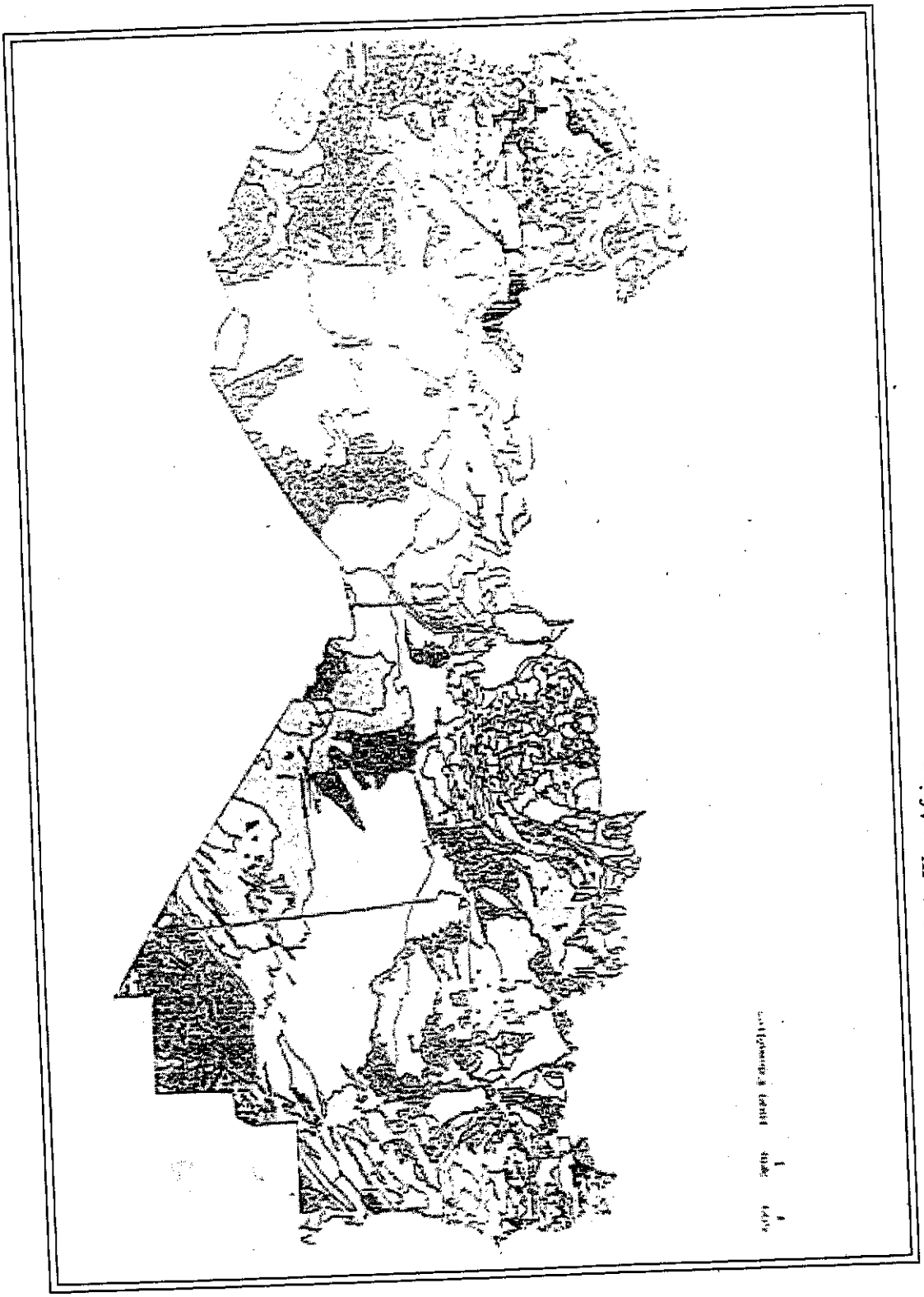
### 1.4 Vegetation and forestry Resources

In the Sahelian and Sudano-sahelian zones, the surface vegetation consists of savannah-type wooded shrubland as well as an annual grassy stratum. The forest and shrubland vegetation consisting essentially of slow-growing species faces a problem of regeneration, especially in the adult trees as local conditions are increasingly worsened by drought, and by demographic and animal pressures on agricultural and pastoral land.

Grazing lands are diminishing in quality, and face problems of overgrazing in certain areas. Most of the areas which grazing herds pass through in the Sahel are covered by annual grassland, rather than the more useful but less resistant, perennial grass. Consequently, these past years have seen an increased movement of cattle from Sahelian countries to the northern regions of the forest countries: Benin, Togo, Cote d'Ivoire and Ghana.



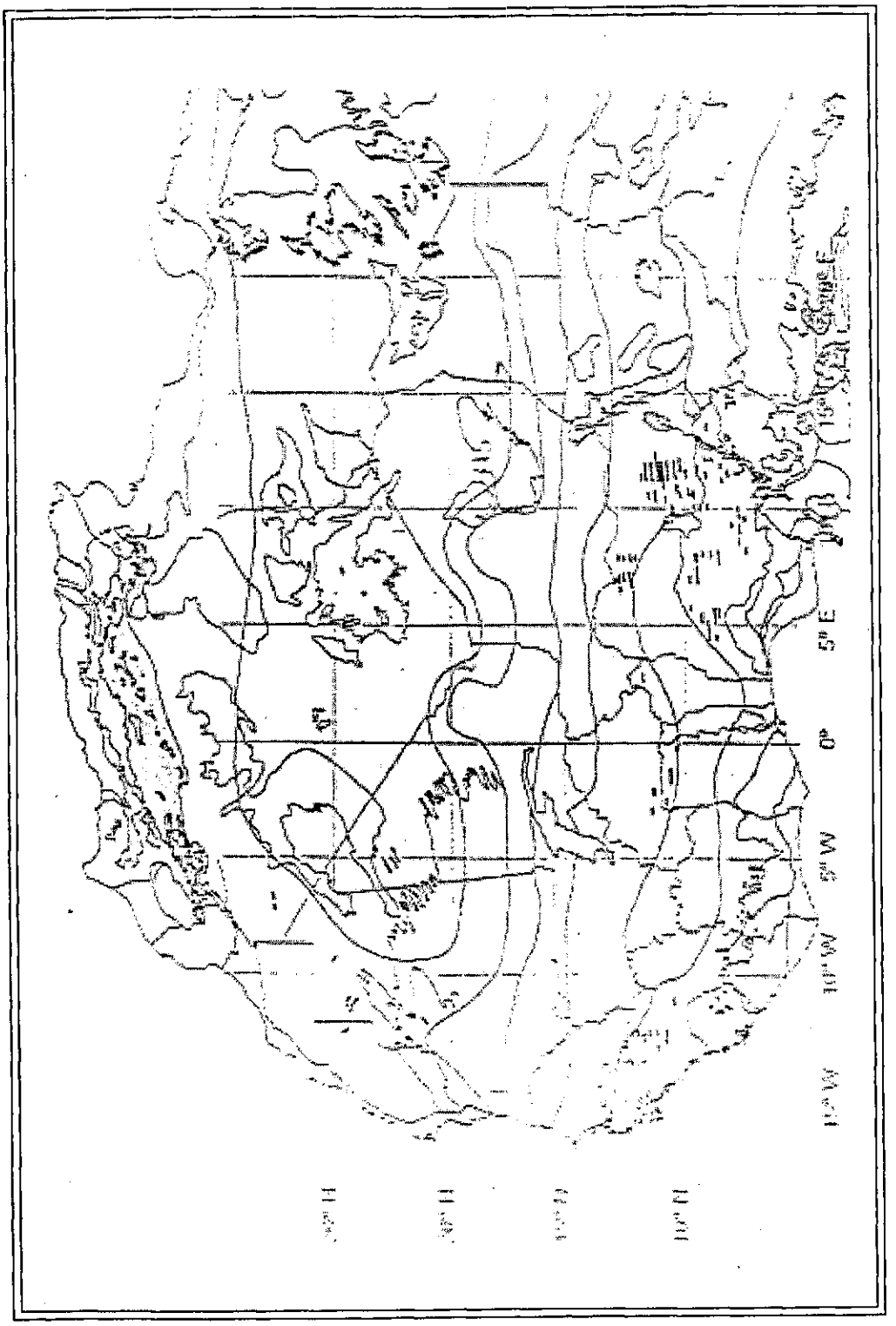
*MAP 3: Watercourse systems*



*MAP 2: Agronomic Value of Soils in West Africa.*

*MAP 2: Agronomic Value of Soils in West Africa.*

The countries in the Gulf of Guinea possess considerable forest resources (dense and light forests) which are extensively exploited. Coffee, cocoa, and groundnut cultivation, and commercial exploitation of forestland have had disastrous effects on these resources.




*MAP 4 : Types of vegetation*

## 2. SOCIO-DEMOGRAPHIC CHARACTERISTICS [1]

The United Nations has forecast that West Africa's total population will rise to 250.8 million by the year 2000, a growth rate of 33% compared with the 1993 figures.

Considering the present lifestyles which are dependent on exploitation of mineral and natural resources, this acute annual growth rate perturbs West Africa's agricultural and socio-ecological equilibrium.

Most countries in West Africa are classified among the least advanced countries on the planet in terms of human development. The Human Development Index of the UNDP, which serves to evaluate social progress in terms of health, education, life expectancy and living standard, shows ECOWAS countries as having an exceedingly low development rate. In fact, they are grouped among the poorest nations on earth. No ECOWAS country features on the list of the hundred countries with the highest HDI.

Poverty in Africa has many dimensions. It is evident in the difficulty in obtaining potable water, the grossly inadequate health and educational facilities, the insufficient calorie intake and in the economic and social marginalisation. Average life expectancy in West Africa is 51 years as against 70 years in South America and 65 years in Asia. Burkina Faso and Guinea have the lowest life expectancy in ECOWAS (45 and 46 years respectively). Ghana (57 years) and Cape Verde (66 years) have life expectancy rates nearest to the average for Asia.

Infant mortality in West Africa fell from 130 to 85 per thousand births between 1975 and 1995. It however remains higher than Asia's 65 per thousand. A number of countries still have extremely high infant mortality rates: Guinea Bissau (129 per thousand), Guinea (124 per thousand), and Burkina Faso (109 per thousand). These countries have however put in place a primary health care policy which is expected to improve the situation in the coming years.

There has been a tangible increase in the level of school enrolment although the figures remain very low for Mali (31%), Burkina Faso (38%) and Guinea (46%), compared to the impressive rates recorded in Ghana (76%) and Nigeria (80%).

There is also a disturbingly high level of unemployment, particularly among young school leavers. On another note, the pandemic of AIDS and the number of displaced and refugees have also combined to exacerbate the social situation in West Africa.

***The conclusions one can draw from this situation is that the sub-region still has a lot to do to restore its ecological balance, and to curtail the spread and aggravation of poverty which continues to affect an ever-increasing fringe of the population of West Africa. Any effort to remedy the situation will require ensuring qualitative, evenly distributed growth. Such poverty alleviation measures may include investing in properly - identified social sectors such as in health, education and professional training; and also in the Natural Resource management sector, in order to increase the output potential of rural areas.***

[1] *This Chapter is culled from the 1998 ECOWAS Executive Secretary's Report to the Heads of State and Government.*

## 3. MACRO-ECONOMIC FEATURES

Since the early 1990s, the international economy has been increasingly characterised by the phenomenon of globalisation, modifying the physiognomy of the different sectors and raising the stakes, particularly for countries in the West African sub-region. Stimulated by impressive improvements achieved in the area of information technology, rapid expansion of capital flows and the integration of production processes, globalisation has given a big boost to the international economy. West Africa, in varying degrees, has benefited from this new dawn of world economy as shown in table No.1 (below) entitled *Distribution of countries according to growth of GDP between 1994 and 1997.*

**DISTRIBUTION OF ECOWAS COUNTRIES ACCORDING TO REAL GDP GROWTH (1994 - 1997)**

| Growth Rate | 1994 | 1995 | 1996 | 1997 |
|---|---|---|---|---|
| Negative | Liberia (1)* | Liberia, Sierra Leone (3)* | Liberia (1)* | Liberia (1)* |
| Between 0 and 3% | Benin, Burkina Faso, Cote d'Ivoire, Gambia, Niger, Nigeria, Sierra Leone, Senegal, Togo (10)* | Benin, Burkina Faso, Cote d'Ivoire, Gambia, Guinea Bissau, Mali, Niger, Nigeria, Senegal, Togo (11)* | Gambia, Guinea Bissau, Niger, Sierra Leone (4)* | Guinea Bissau, Niger, Sierra Leone (3)* |
| Between 3 and 6% | Cape Verde, Ghana, Guinea, Mauritania (4)* | Cape Verde, Ghana, Guinea, Mauritania (4)* | Burkina Faso, Cape Verde, Cote d'Ivoire, Guinea, Mali, Mauritania, Nigeria, Senegal (8)* | Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Mali, Mauritania, Nigeria, Senegal, Togo (11)* |
| More than 6% | (0)* | (0)* | Benin, Ghana, Togo(0)* | Cote d'Ivoire (1)* |

(1)* *Number of countries in the same situation*
*Sources: Rapport économique sur l'Afrique 1997 (ECA) and estimates by the ECOWAS Executive Secretariat*

**West Africa owes its expansion in part to agriculture. It remains the key sector in the economies of most ECOWAS countries, accounting for 35% of the region's GDP and employing nearly two-thirds of the active populatien. The land and the human hands to till it remain the decisive factors of production in this sector. Also, priority attention must be given to reversing the land degradation that is becoming increasingly evident in the sub-region.**

The over-indebtedness of ECOWAS member countries remains one of the major obstacles to self-sustained growth and development, as well as to investment in the natural resources management sector. West Africa's total external debt was estimated at 69 billion US dollars in 1996. Were such a sum to be injected into desertification and drought control, it would make a tangible impact on the capacity of West African peoples to attain food security and shun some survival activities which are harmful to the environment.

In the recent past, a number of novel debt alleviation/cancellation measures have been introduced to help West African countries, such as the initiative to assist highly indebted poor countries (HIPC). This is a good sign, particularly as it covers the external debt in its totality, including multilateral debt which, in the past, could not be rescheduled or cancelled. Currently, only Burkina Faso and Cote d'Ivoire qualify for this initiative. While welcoming this initiative one must note that it entails some very exclusive and restrictive provisions and takes about six years to apply. Clearly, therefore, the countries of the sub-region will continue to grapple with serious debt problems for a long while yet, and will always be inclined to sacrifice the environment sector for others considered to be of greater priority.

**In their effort to accelerate economic growth within a sound macro economic environment, most ECOWAS countries have embarked on economic reform, most often in the form of structural adjustment programmes. Economic reform policies taken have included measures to narrow budget deficits, and initiatives to control inflation and stabilise exchange rates. In the main, these various policies have facilitated macro-economic convergence within the context of a harmonisation of economic and financial policies of ECOWAS States, and within the franc zone. Nonetheless, in order to strengthen macro-economic convergence and speed development, these countries must address issues pertaintng to the structural elements of development, including the dominant faetors of production such as labour and the quality of soils. These will need to be vigorously promoted, while still ensuring macro-economic stability.**

## 4. INSTITUTIONAL CONTEXT

The partitioning of the continent into mini-states and the chronic underdevelopment which appears to have set in since more than three decades of independence, have constituted sufficient reasons for calling current economic policies into question. The general philosophy of sub-regional cooperation is centered on interdependence and economic integration. Coordinating development presupposes that certain conditions can be met, among them:

- pooling of resources;

- specialisation in the sectors where that proves necessary;
- integration of markets, trade liberalisation and harmonisation of customs regulations.

In the absence of harmonisation, each State should, in formulating its development policies and strategies, give every consideration to the regional dimension and complementarity vis-à-vis its neighbours.

ECOWAS, CILSS and UEMOA are among the many sub-regional integration organisations.. Despite the undeniable achievements of these organisations, the latest being the introduction of the ECOWAS Travellers Cheque designed to facilitate transactions between countries in the CFA zone and other countries, the fact remains that some major hurdles still remain on the path to integration, either with respect to production or through the market.

Other intergovernmental organisations (IGOs) have been created, to offer a collective forum for addressing problems and proposing solutions to common issues. Each was set up in peculiar, historical circumstances; each has a specific legal mandate. In West Africa, there are some thirty such groupings, with overlapping objectives and geographical jurisdiction, as well as some duplication of effort. Over the years they have felt the need to forge cooperation links among themselves, while respecting each other's prerogatives. It is against this background that CILSS tried the experiment of ensuring uniformity of action by IGOs and member countries in the effort to combat drought and desertification. Similar attempts have been made by ECOWAS in other fields of development, and in political, economic and commercial integration. Similarly, the "defunct" CEAO had also produced a document setting out a common agricultural policy (CPA) for member countries. Also worthy of note in this context is the establishment of the Association of IGOs in West Africa, for which MULPOC, Niamey acts as the Secretariat.

Thus, harmonisation of IGO programmes has been a subject of common concern to the IGOs, cognisant, as they are, of the need to avoid duplication of efforts, and to exploit judiciously and rationally, the complementarity of the actions of the different types of IGOs: On the one hand are the community type IGOs and those for multi sectoral development (ECOWAS, WAEMU, ABN, OMVS, OMVG, CBLT, ALG...). On the other hand are some IGOs technical, specialised IGO's, with a service bias (CILSS, CEBV, OCLALAV, CRTO, CIERRO, ACMAD, IPD/AOS, CRAT...).

Generally so far, the different attempts to establish good functional cooperation between IGOs for economic and social development in the West African sub-region have fallen short of the aspirations of the partners. This can be attributed to many causes, chief amongst which are:

- lack of consultation as each IGO undertakes project identification, execution and monitoring in isolation, hiding behind the decisions of its statutory authorities;
- non-involvement of all the partners at the inception of the process of project design and identification;
- the "descending" approach adopted by IGOs in the design of projects and programmes;
- lack of effective mechanisms for collaboration between the IGOs, and failure to honour the different mutual agreements on collaboration signed by those whose complementarity and/or synergy are obvious;
- financial constraints;
- no sharing of information;
- lack of genuine political will.

# CHAPTER II
# THE PROBLEM OF DESERTIFICATION IN THE WEST AFRICAN SUB-REGION

Since 1968, the sub-region has been in the throes of recurrent drought and the effects are being felt increasingly, even by the coastal countries. This, coupled with the over-exploitation or poor management of renewable natural resources, has increased desertification and negated all plans and strategies deployed to fight it.

## 1. MANIFESTATIONS, CAUSES, AND EFFECTS OF DESERTIEICATION IN WEST AFRICA.

Desertification in West Africa is essentially a continuous, often irreversible impoverishment and degradation of the productive biological potential (soil, water, farmer, vegetation, etc.).

The entire sub-region (arid sahelian and humid Gulf of Guinea countries alike) is affected. The effects of this desertification are considerable and often take dramatic forms especially in the Sahelian region (food insecurity, impoverishment of the rural masses), inability to execute socio-economic development efforts in the countries affected.

### 1.1 The causes of desertification in West Africa

Desertification is a complex phenomenon which manifests itself in the living standards and activities of people *(cf Diagram No.1)*. In the case of our sub-region, the causes of the phenomenon lie essentially in the combination of human and natural climatic factors (persistent bouts of drought). Among the human factors, one can cite notably:

a) Abusive and inappropriate exploitation of plant and forest resources, which expose the soil to harsh climatic factors (water, winds, excessive sunshine, etc.). Among such harmful practices are:

   (i) uncontrolled bush-clearing for agriculture,

   (ii) tree-felling to satisfy energy needs,

   (iii) exploitation of the forest to satisfy needs in art wood work and wooden furniture,

   (iv) overgrazing;

b) bush-fire, demographic pressure, mass human migration triggered by political turmoil and crises, which encourage degradation of the soil and the forest;

c) migration. The unfavourable climatic conditions in the Sahelian zones have led to increased human migration and cross-border transhumance (from the Sahel to the forest zone in recent years). This massive influx of humans and animals into the humid zones from the neighbouring States puts pressure on the natural resources and creates various problems, among which are :

   (i) degradation of the soil and the environment, and

   (ii) escalation of the farmer-farmer/farmer-herdsman conflicts.

### 1.2. MANIFESTATIONS AND EFFECTS OF DESERTIFICATION.

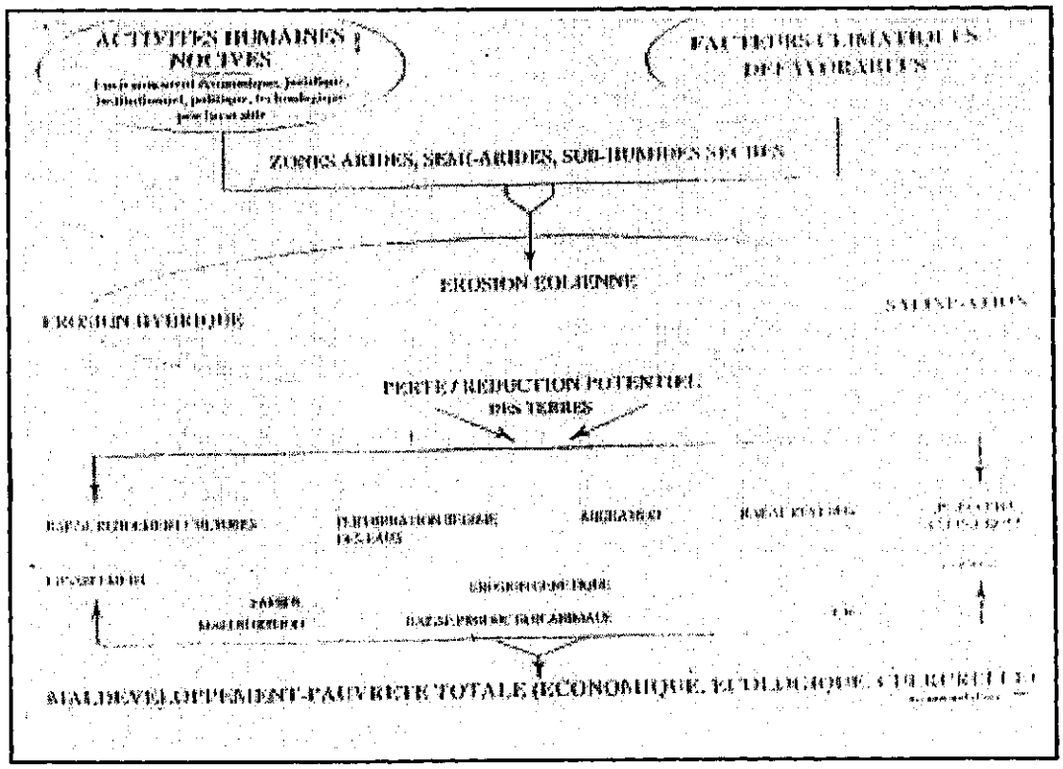
In the countries in the Gulf of Guinea, over-exploitation of timber resources has reached dangerous proportions. In Cote d'Ivoire, Ghana and Nigeria, indiscriminate bush-clearing for itinerant farming purposes has diminished the (hitherto) dense forest. Thus, from 1900 to 1990, nearly 12 million out of 14.5 million hectares of forest was lost in Cote d'Ivoire. Entire, beautiful forests have disappeared in Nigeria and in

Ghana. In those countries, the floristic composition has been altered as forests are transformed into savannahs susceptible to bush fires and water erosion.

**All over the Sahelian countries,** the balance of agrarian systems has been greatly distorted by recurrent drought and its effects on the human population. With considerably greater areas being put to farming, and the phenomenon being accompanied by massive deforestation, very serious consequences have been noted:

- In Mali, 100,000 hectares par annum of new land is cleared and it is estimated that in the year 2,000 fuelwood needs will be 7 million tonnes; that is, several million hectares of forest;
- In Senegal, it is observed that several millions of hectares of forest are cleared annually; the timber potential has fallen by 18 million cubic meters and regressed by 80,000 between 1981 and 1990;
- In Niger, the spread of farming to the north and the over-exploitation of land means that less land is left fallow in the south and each additional inhabitant means 0.7 hectare of land taken up for cultivation. In that country 200,000 hectares of wood reserves disappear each year, whereas reforestation efforts reach barely 5000 hectares per year in mass plantation;
- In Mauritania, sand-filling and dune movement caused by wind erosion limits agricultural productivity.
- In Burkina Faso, 50,000 hectares of land is cleared par annum for agricultural purposes and annual fuelwood consumption is estimated at 25,000 hectares of forests;

The above situations are causing lakes and watercourses to dry up across the sub-region (disappearance of a portion of Lake Chad in Niger, transformation of the Nazinon from a permanent to a seasonal watercourse etc.), and are limiting the growth capacity for agricultural production. The select regional meeting organised by CILSS (AGRHYMET Centre) on strengthening monitoring arrangements with respect to agriculture and food situation in the Sahel, noted in this regard that, in this part of the sub-region *"agricultural production does not keep pace with the pattern of consumption linked to population growth, as if current production capacities have reached a maximum threshold which would be hard to surpass even in a year with good rainfall."*



West Africa has a varied and considerable plant wildlife potential, the effective management of which was hitherto assured through strict, traditional regulations. At present, the increase in demand caused by population explosion and development of commercial circuits, seriously compromises efficient management of the fauna, and this despite the existence of modern legislation in the sub-region. The result is a massive decline in land and aquatic animal wildlife, particularly now that modern, sophisticated methods of capture are being used.

***This brief analysis of the effects of desertification on the fundamental areas of socio-economic development of States in the sub-region reveals the enormity and complexity of the degradation of the natural resources, especially in the Sahelian countries. It equally appears that the effects of desertification on natural resources have grave consequences for socio-economic development, and are not limited to one country. The interrelationship between the ecosystems and the necessary transborder dimension to measures and actions to combat this phenomenon demands that countries in the sub-region should adopt a global and common approach and strategy. The CCD offers, therefore, an historic opportunity to establish a coherent, sub-regional programme, capable of containing the scourge through a dynamic partnership. That is feasible only where the different strategies and diverse plans, defined and executed in the sub-region to control the phenomenon would have been adequately assessed.***

## 2. PAST DEVELOPMENT AND DESERTIFICATION CONTROL POLICIES AND STRATEGIES

### 2.1 Objectives of past and current policies and strategies

The history of socio-economic development in West African countries is replete with strategies and plans for development and/or desertification control.

In the aftermath of the persistent droughts of the 70s, the governments of many Sahelian countries elaborated and applied various strategies which were encapsulated in desertification control plans.

In the specific instance of countries in the Gulf of Guinea, environmental degradation in the Sahelian countries over past decades, and the impact of desertification on the ecosystems of forest areas have spurred a change in policies and in natural resource conservation and management programmes. These countries have progressively shifted from a sectoral approach focused on the exploitation of forest resources to a global view of natural resource management and sustainable development. They therefore have objectives similar to those of the DC and share the same development goals as countries in the sub-region. In addition, the different socio-economic development plans now give serious consideration to the desertification /drought factor. This is evident in the key objectives set:

a) improving natural resource management by implementing National Resource Management Programmes which will involve giving local communities and producers direct responsibilities in resource management, land development, drought and desertification control, water resource management and maintenance of soil fertility.

b) increasing production and productivity, expanding and diversifying production, in particular by developing apex and baseline activities in agriculture, fisheries and rice production (supply of inputs, transport, storage, marketing), by enlarging the employment market and by guaranteeing high producer prices;

c) promoting human resource development through a policy of grassroots involvement, recognition of internal and external migrations, improved health care delivery, development of basic

education, professional training, evolving functional adult literacy programmes, providing solutions to problems of employment, particularly unemployed young graduates and the youth in rural areas, *involvement of women in the development process and improvement in their economic status,* and by reflecting the socio-cultural dimension of development.

d) opening up access to the sub-region by improving and extending the communications infrastructures which are a necessary support to the development process.

There is every indication that, even though socio-economic realities differ in individual states, West African policies concentrate, in the main, un :

- ensuring food self-sufficiency and security;
- protection and conservation of the environment with particular emphasis on ensuring rational and sustainable management of natural resources;
- raising income levels.

**Thus, development strategies remain country-specific and continue to be dictated by the peculiar situation of individual countries. Clearly, however, the key to a lasting solution to the problems of desertification and environmental degradation lies in adopting a strategic approach based on solidarity and sub-regional and international partnership, given that these concerns cut across national boundaries.**

## 2.2. Nature and scope of strategies, policies and approaches developed

The droughts of the 70s heralded a departure from the usual methods of preparing strategies and plans for desertification control, first in the Sahel and, later on, in the countries in the Gulf of Guinea. A large number of plans for desertification control and natural resource management were adopted, many with perfectly identical programmes. Among these were

- the United Nations Conference on Desertification held in Nairobi in 1977
- the Lagos Plan of Action adopted by Heads of State in 1980;
- the OAU Declaration (Addis Ababa) of 1985.

All these plans and declarations took note of the declining agricultural output and were unanimous in their call for an urgent solution to the agricultural crisis on the African continent.

In the Sahelian countries, DC strategies and policies came to be applied only in the wake of the harsh realities which followed the 1972-1973 drought. Understandably, reducing food insufficiency was a key priority in such policies and strategies.

### *2.2.1 Regional desertification control strategy*

The adoption in Nouakchott, in 1984, of a desertification control strategy in the Sahel opened the way for most countries in the zone to implement national desertification control plans in the form of huge integrated projects and hydro-agricultural infrastructural programmes. The Nouakchott strategy was to be subsequently adjusted in the light of current realities and the lessons offered by the limited success of earlier programmes.

Because earlier projects and programmes had yielded such poor results, the regional DC strategy placed emphasis on six basic options:

1. Total and voluntary commitment of the population, acting within their areas, communities and organisations;
2. A global approach within such collectivities and areas towards the definition of long term, wide-ranging programmes on the environment, production and manpower;
3. Use of flexible and evolutionary methods of territorial development and flexible planning, based on basic assumptions;
4. Adaptation of institutions, legislations *(land tenure laws and rural codes in particular)* and departments to the methods embracing a global approach, consultation and aid to development;
5. Efforts to undertake research, training and follow-up meant to encourage realisation of above options;
6. Strengthening and coordination of external aid at State level.

Other policies were introduced to complement this regional strategy: the Mindelo guidelines (1986) in respect of grain production, and the N'djamena programme of action (1988) for population policy; both sought to correct the sub-region's food and social development inadequacies.

In 1989, at the regional meeting held in Segou, the lessons learned from application of the strategy were applied, strengthening it further and making it easier to implement. Eight major areas of action were identified:

1. rehabilitation of the ecology : reconstituting a degraded capital
2. management : management in conjunction with local communities
3. decentralisation: enhancing efficiency
4. land tenure : securing land investments
5. local credit and savings : increasing local participation
6. women: optimising their participation
7. information-training : exchange of experiences
8. population and development

### *2.2.2. National desertification control plans (NDCP)*

In drawing up their NDCP within the broader frame of the regional strategy, Sahelian countries, having had to reflect on the nature, spread and the consequences of desertification, were better able to determine appropriate control measures.

These national plans were woven around the results of the biophysical and socio-economic analysis of the extent of soil degradation, ongoing policies, and social organisation in the exploitation of ecosystems and production systems. They were able to offer proposals as to what should be the objectives of the management of natural resources, to set orientations and, finally, to elaborate indicative projects and programmes

However, implementation of these plans encountered serious difficulties caused by internal structural weaknesses in the countries, by the defective design of the NCDPs themselves; and by budget stringencies and operational constraints.

### 2.2.3. Sub-regional planning initiatives

Other planning and resource management initiatives were undertaken or are currently being implemented in ECOWAS countries. They enjoy bilateral funding, notably from the FAC, German Development

Cooperation (GTZ), Norwegian, Swedish, Japanese Cooperation etc.., and involve the World Bank, UNDP, FAO and others.

Worthy of mention in this regard are:

- National Action Plans for the Environment (NAPE) sponsored by the World Bank and the UNDP. It is based on four guiding principles:
  - assistance to countries implementing development programmes consistent with the objective of sustainable management of the environment;
  - control of the untoward side-effects of development projects;
  - increasing synergy between poverty alleviation, environmental protection and economic efficiency;
  - giving necessary consideration to environmental challenges.

Experience accumulated within the context of this strategy underscores the difficulties involved in applying desertification control. Major problems encountered are in relation to the low productive capacity of the lands under threat, lack of immediate profits, inclement climatic conditions, and the length of time required before tangible results are perceived. The World Bank is working in concert with many other institutions, notably UNEP, to collate data on the evolution of the environment.

The FAO and UNDP-sponsored *Tropical Forestry Action Plan (TFAP)* provides a strategic framework designed for developing countries to refocus, enhance and harmonise their traditional forestry methods in favour of conservation, protection and regeneration, and the adoption of rational, sustained forest management policies. The five priority TFAP areas are as follows:

- forestry in land use;
- forestry industries;
- fuelwood and domestic fuel;
- conservation of forestry ecosystems; and
- forestry agencies

The IUCN Strategy was initiated in 1980 in collaboration with the World Wide Fund for Nature and is financed by UNEP with assistance from FAO and UNESCO. Its objectives are nature conservation for sustained development, the preservation of genetic diversity and the sustained exploitation of species and ecosystems.

The Natural Resource Management and Rural Community Land Management Programmes backed by the World Bank, UNDP and USAID. The starting point of these programmes is the assumption that the traditional methods have failed. The "rural land management" programme is communal, holistic, integrated and decentralised, starting from the base and culminating at the apex. The strategy has been adopted by a number of bilateral cooperation agencies such as FAC, GTZ and EDF, and also by NGOs.

The priority activities in these programmes involve the development and management of agricultural land and catchment areas as well as land development for non-agricultural use. They operate on the principle that the inhabitants should be involved in the identification and resolution of their land development problems.

The sectoral approach has been overtaken by the global planning of natural resource management, taken into account the interrelation between development and the environment. Most countries in the region, and the Sahelian countries in particular, have adopted the communal, integrated and decentralised approach to rural land management, allowing for a greater involvement of the rural population in the management of their own natural resources. Moreover, the principle of sustainable development based on, i) mass participation; ii) establishment of a consultative mechanism; and iii) complementary tools seems to be making headway in the region.

**In general, the different desertification control policies adopted to date have been based on a common determination to contain the harmful effects of endemic drought and ensure effective management of natural resources. Political trends have evolved towards a greater awareness of the inter-relationship between the environment and development. Nonetheless, current policies are formulated with these major considerations in view:**

- **food security**
- **energy security**
- **rational and sustainable natural resource management;**
- **sustained economic growth and employment;**
- **security and stability of financial resources;**
- **improved living standard.**

## 2.3. Implementation mechanisms and measures

### *2.3.1 Implementation mechanisms*

The implementation mechanisms and measures for the different national policies, strategies and programmes are gradually being absorbed into a global drought and desertification control policy. In implementing the different projects and programmes, it has become obvious that there is a need for desertification control strategies and policies to be incorporated into national socio-economic development plans. If this is done, it will be possible to define the appropriate implementation mechanisms with a global approach to the phenomenon of desertification, and the appropriate measures to be adopted.

In this regard, most ECOWAS countries have attempted to set up lateral agencies for the management of environmental matters. (CNED in Mauritania; CONSERE in Senegal, COWAGESE in Burkina Faso etc..)

Although few of these structures are operational, certain aspects of environmental management seem to have received government attention:

- mobilisation of human and financial resources for effective execution of desertification control measures;
- adoption of the rural approach to rural land and natural resources management;
- land security;
- regular monitoring and evaluation of mass actions backed by teams of technical experts;
- establishment of coordinating mechanisms for activities and funding at all levels;
- formulation and implementation of national and regional land development master plans;

- decentralisation of decision-making and allocation of material, human and financial resources for natural resource management;
- methodological and technical input from central headquarters to field technicians;
- creation of an early warming system to mitigate the consequences of extreme drought on crops and livestock;
- enhancement of environmental management agencies.

### *2.3.2 Implementation measures*

In view of the absence of reliable information, it is extremely difficult to assess the human, material and financial resources invested in the different desertification control and development programmes. However, there can be no doubt that these amounts are considerable, given the number of development and desertification control programmes in progress and the number of actors directly or indirectly involved in their implementation. They include state agencies, NGOs, IGOs, local communities, producers and national and foreign agencies for technical assistance.

Financial resources are mainly generated by:

- national budget allocation;
- funds obtained through bilateral and multilateral cooperation agreements to finance projects and programmes;
- NGOs and IGOs;
- rural grassroots communities and organisations.

Going by the number of projects and programmes running in the region, it is clear that the funds invested in this regard are considerable. For instance:

- the first generation CILSS programme (1976 to 1982) cost nearly US$ 2.5 billion;
- between 1975 and 1977, Senegal invested some 69 billion CFA francs in 31 desertification control projects;
- between 1983 and 1995, Cape Verde invested US$ 12 million in various desertification control projects;
- in 1994, the World Bank financed 40 desertification projects in arid zones to the tune of US$ 1.85 billion.

## 3. Observations:

Desertification control projects and environmental management have mobilised extensive financial, human and material resources since the 1970s. However, the overall results achieved are only moderate and in some cases disappointing, considering the vast sums sunk into the projects and programmes.

### *3.1 Major achievements*

The various measures taken in the region and especially in the Sahel to arrest desertification, have achieved the following results:

- the population of the region is aware of the pressing need to accord high priority status to desertification control;
- the new approach being adopted to desertification control provides for a higher level of mass participation;

- the quality of producers' associations has improved significantly and the producers are beginning to organise themselves into professional groups;
- there has been a quantitative and qualitative improvement of the personnel assigned to the promotion of research and development;
- more information is now available on the states of natural resources and the conditions of their deterioration and/or destruction;
- institutions have been enhanced;
- appropriate legislation has been enacted to improve natural resource management;
- new technologies are being promoted (CES/DRS; improved stores; solar energy, biogas; butane gas etc..);
- agricultural and livestock production has increased significantly;
- outlines have been prepared for a land development scheme.

### *3.2 Major obstacles*

Despite the important results achieved, a number of obstacles continue to impede implementation of desertification control projects and programmes:

- the continued existence of unrealistic legislation which prevents local stakeholders from participating more actively in natural resource management;
- the inability of the States, at a time when the emphasis is on decentralisation, to review and reorganise the function of technical departments which should support rather than monitor the initiatives of the rural population;
- the lack of coordination between the planning and implementing structures of the desertification control programmes. The number and diversity of natural resource management plans and strategies create duplication and coordination problems during implementation , and these are not successfully addressed by the different ministries, IGOs, NGOs, and partners for development;
- poor planning as well as the failure to ensure complementarity of measures adopted;
- insufficiency of government funds invested in control programmes;
- low level of involvement of the different stakeholders during the various implementation phases of the control programmes;
- inactivity of rural associations and NGOs in many countries ;
- inadequacy of databanks and absence of an effective information system to disseminate information on successful environmental techniques and technology;
- the failure of research systems to take due account of natural resource management needs. Natural resource management and desertification control in West Africa encounter problems requiring intensive research for the following reasons:
  - to guarantee regular returns on capital investment;
  - to study the level of deterioration of the environment;
  - to study the impact of human activity on the volume and quality of natural resources and discover the production potential of these resources.
- failure to realise that desertification control measures and policies in border zones must be coordinated from both sides. The measures must be identical on both sides to ensure that their effects are not cancelled out by infringements on the opposite side.

# CHAPTER 3
# OBSTACLES TO BE REMOVED AND ASSETS TO BE ENHANCED TO ENSURE THE SUCCESS OF FUTURE DESERTIFICATION CONTROL MEASURES

## 1. Assets

Despite the effects of the various ecological and socio-economic crises suffered by the region, its countries dispose of assets which can be harnessed to achieve sustained development.

### *1.1. Political and social assets*

The most important political asset which the region must preserve and utilise is the United Nations Convention to Combat Desertification in Countries Seriously Affected by Drought and/or Desertification, Particularly in Africa. The convention is in fact a world pact to work in partnership to execute joint projects in arid, semi-arid and dry sub-humid zones subject to drought and desertification, with a view to laying the foundation for sustainable development. The second political asset is the fact that there has been a decade of relative political stability in most of the countries of the region, coupled with a powerful movement towards democracy and decentralisation of power, decision-making and management. All these factors are conducive to a greater involvement of the different social and professional groups in development and in the formulation and implementation of national action programmes.

Lastly, the phenomenon of globalisation and the increasingly great risk of marginalisation for small economies have been accompanied by a strong political commitment to regional integration through the adoption of institutional and legal reforms in a number of social sectors. In terms of regional integration, there is an increased correlation between the day-to-day experiences of the masses and the policies and decisions taken by the region's leaders.

### *1.2. Natural and Human Resources*

The natural resources of the region have been heavily undermined by recurrent drought, especially in the Sahelian countries. Nonetheless, some Sahelian countries in the Gulf of Guinea still have considerable resources of fauna, fish and in some cases, forest, which if properly managed, would form the basis of a sound economy and increase productivity in the primary sector.

Despite the recurrent drought in the Sahelian zone, the region possesses a vast potential in irrigable land which should be exploited.

The exploited and unexploited mineral wealth of the region is vast, and includes deposits of gold, petroleum, manganese, bauxite and uranium

The human resources of the region despite the proponderance of the under 20s who make up 55 % of the population, are of increasingly good quality. The available manpower is readily adaptable to the needs of the various sectors even though skilled workers still need to be trained.

The countries of the sub-region have acquired considerable experience in desertification control and development policies. Over the last two decades many control and development measures and policies have been formulated which have familiarised these countries with the modalities of defining and implementing appropriate strategies in these domains.

### *1.3 Organisations and Institutions*

The sub-region is witnessing the emergence of non-governmental associations and organisations which play relevant roles in different sectors.

West African countries have a long tradition of trade, alliances and solidarity based on historical and cultural links. This easy interaction of the sub-region's peoples facilitates integration and the successful conclusion of joint development projects.

Furthermore, with the decentralisation process engaged by the States, responsibility will devolve on the communities, thereby ensuring their full involvement in development projects.

The sub-region is covered by numerous active cooperation agencies which are usually highly experienced in development and desertification control matters.

## 2. Constraints

An examination of the general characteristics of the region reveals the problems encountered in implementing desertification control measures:

1) It is clear that the combined effects of recurrent climatic and natural disasters has been to create a persistent food deficit. This situation has led the rural population into developing survival tactics which include the exploitation of mineral resources.

2) Rural areas and the periphery of urban settlements account for 70 % of the population. These people have next to no technological training, due in part to their poverty level and lack of education, but also to the social failures of their governments which are also unable to formulate suitably adapted technologies for their use. In such a situation, the population is heavily dependent on raw material resources, which encourages their unplanned exploitation.

3) Desertification control programmes and projects do not have an immediate impact. In countries where political leaders are assessed on their short term achievements and where most of the private sector is mainly interested in areas offering rapid returns on investments; desertification control projects do not attract investors.

4) Most existing legislation is ill-adapted to shared resource management.

5) The countries are not fully familiar with the options for desertification control and development strategies because more than 75 % of the funding in these areas comes from outside the region.

# PART TWO
# ACTION PROGRAMME TO COMBAT DESERTIFICATION AND MITIGATE THE EFFECTS OF DROUGHT IN WEST AFRICA

## CHAPTER I
## BACKGROUND, AIMS, OBJECTIVES AND GUIDING PRINCIPLES OF THE SUB-REGIONAL ACTION PROGRAMME FOR WEST AFRICA

### 1. THE CCD - PAST AND PRESENT.

#### *I.1. Background*

The United Nations Conference on Environment and Development (UNCED), also referred to as the Earth Summit, was convened through Resolution 44/228 of the United Nations General Assembly for a dual purpose. First, it sought to evolve a world-wide solidarity pact aimed at stemming or reversing environmental degradation on the planet, and, secondly, it aimed to formulate and adopt institutional and financial instruments that would afford humanity the conditions through which a sustainable development in a sane environment might be achieved.

The idea of an International Convention to Combat Desertification was born out of the preparatory process of the said Conference. It evolved out of the common African position, and was officially considered during the fourth meeting of the Preparatory Committee working on options under the Agenda 21 Programme of Action. It was approved during the meeting of the Conference held in June 1992 at Rio de Janeiro (Brazil). Thereafter, Resolution 47/188 of the UN General Assembly was passed, establishing the Intergovernmental Negotiating Committee of the said Convention.

#### *1.2 International environment*

The International Convention on Desertification was negotiated under particularly difficult conditions. On the one hand was the widening scope of demand for aid with completing demand from the East European countries posing a problem for Africa in particular. Concomitantly there was the global economic crisis, already showing markedly disastrous consequences for developing, particularly African countries.

Negotiations leading to the signing of the UN Convention to Combat Desertification took place in Paris on 14 and 15 October, 1994. A convention under international law, it places an obligation on contracting parties, either as party affected countries or party developed countries to adopt common measures aimed at controlling desertification worldwide, specifically in Africa which is considered a priority area.

At the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992, it was decided, at the insistence of African countries, that a new convention be negotiated, namely, the International Convention to Combat Desertification. Existing international agreements of similar nature, such as the convention on climate change and biodiversity, deal with general issues of the environment, which are of greater priority to the industrialised countries. On the contrary, the proposed International Convention to Combat Desertification translates the actual will of the developing countries to evolve an international framework to address desertification, an issue of particular relevance for the environment and for development in these countries

### *1.3 Terms of the convention*

***Contracting parties***

The contracting parties are, on the one hand, the "affected countries party"; that is to say countries that are affected or wholly or only regionally endangered by the menace of desertification, and on the other hand, by "developed countries party."

***Objectives***

The objective of the Convention is to take concerted action at international level, to combat desertification in the affected countries through international cooperation, and through the adoption of long term strategies. AGENDA 21 and Article 1 of the Convention, define desertification as: " degradation of soils in arid, semi-arid, sub-humid and dry zones as a result of various factors, including man-made and climatic factors" The word soil refers to the bio-productive land system which includes soil, vegetal and other living elements as well as the ecological and hydrological phenomena which take place within this system.

***Obligations***

The Convention sets out programmes of action at various levels: national, sub-regional and regional (regional = continent); greater emphasis being however, laid on action at the national level. At the regional level, based on the principle of prioritisation, support measures are envisaged with regard inter alia, to the establishment of an early warning system, research and dissemination of research results. These action programmes shall form the building blocks for future desertification control activities in affected countries. Developing countries commit themselves to creating the overall conditions conducive to the realisation of national action programmes, e.g. grassroots participation, particularly of women and children; decentralisation of decision-making processes as these relate to land use. They also commit themselves to the involvement of non- governmental organisations, and to forging an appropriate legal framework. On their part, donor countries are committed "to providing necessary resources, support in the transfer of technology, cooperation in the field of research, exchange of information, capacity building, training and extension services that are seen to be important support measures.

## 2. THE CONCEPT OF THE SUB-REGIONAL ACTION PROGRAMME

### *2.1 CCD PERSPECTIVE*

The affected countries are expected to hold consultations and promote cooperation by preparing and implementing sub-regional action programmes focused on areas that are best addressed at sub-regional level.

Article 11 (Page 15 of the Programme of Action) states that "The affected countries to assist developing country parties, particularly those in Africa, effectively to develop and implement their own long-term plans and strategies to combat desertification and mitigate the effects of drought (cf Article 6b) Such - Party shall hold consultations and cooperate to draft, as may be necessary, and in accordance with relevant appendices dealing with the implementation at regional level, sub-regional or regional action programmes with a view to harmonise, supplement and improve on the efficiency of national programmes"

"This form of cooperation can extend to jointly designed and approved common projects for the sustainable management of shared national resources, to scientific and technical cooperation and to strengthening of relevant institutions".

It is also clearly stated in Article 11 of the Regional Implementation Annex for Africa (RIAA) that, with regard to the content and implementation of sub-regional programmes on Core Programming namely :

Joint Management of Transborder Resources, development of alternative sources energy, early warning system and joint action for mitigating the effect of drought; some Subsidiary Action will also be considered: scientific and technical cooperation, data collection and evaluation networks, coordination of research and development activities, exchange of views on the participation of local population and groups, capacity building and education, public awareness campaign, strengthening of the capabilities of sub-regional organisations to contribute to policy coordination and harmonisation in those fields that have an impact on the affected zones and populations.

The CILLS organised a meeting of Sahelian experts on the implementation of the Convention to Combat Desertification, that was to broadened to include experts from neighbouring countries. This was followed by a meeting of member States' Ministers of Environment in Ouagadougou in September 1994. That initiative thus offered countries of the sub-region the opportunity to launch a process of consultation, in line with the spirit of the CCD, and was expected, eventually, to lead to the drafting of a single sub-regional programmes of Action for the whole of West Africa.

### *2.2 The "West Africa" sub-region perspective.*

At first, an attempt was made to reduce SRAP to the sum total of on-going or future projects and programmes of various NGOs working in the area of desertification control in West Africa.

Three main reasons, make this approach untenable.

- The apex-base approach which is given preference in the process of project design, implementation and monitoring, without any reference to the target beneficiaries.
- The absence of a medium and long-term strategy.
- The poor results achieved as a result of the above stated factors.

Similarly, the SRAP cannot be reduced to the mere funding of certain national projects that meet some broad-based criteria, or serve as a support framework for community projects which require the creation of some heavy supranational structures, since the attendant heavy recurrent costs are beyond the reach of Member States.

The SRAP should rather be:

- A supporting prompt to the balanced implementation of national programmes of action.
- A strategic framework for the harmonisation of policies aiming to control desertification and its repercussions on a medium and long term basis.
- A means of putting past and present experiences to future use.
- A consolidation framework, as a backup process, for existing national and sub-regional capabilities for the identification, planning, programming, implementation, and monitoring of national and sub-regional projects and programmes.

Furthermore, as stated in the preceding chapters, although sub-regional co-operation through inter-governmental organisation predates SRAP, expectations have always been met rather mildly on account of the varions reasons stated above.

The SRAP should facilitate revival of this co-operation or further consolidate it by improving upon the results obtained from earlier West African attempts to rationalise and strengthen IGOs which lay greater emphasis on buttressing the supportive nature and/or synergy of actions taken.

**The Sub-regional Action Programme to combat desertification and mitigate the effects of drought in West Africa (SRAP-WA) should be seen as a sub-regional platform for concerted reflection and action, aimed at implementing relevant and coherent desertification control programmes on a participatory and partnership basis. Possible participants in the SRAP include States, IGOs, co-operation agencies, funding agencies, civil society organisations and associations (NGO, Youth, Women, Farmers Associations...) local beneficiary communities, research and training institutions, the private sector.**

## 3. PREPARATION OF THE SRAP

In drawing up the SRAP, the two liaison centres (CILSS – ECOWAS) sought to ensure that the principles of participation and partnership were effectively brought to bear. Stakeholders were involved in a series of consultations supplemented by national and sub-regional studies, which were carried out in such manner that the various categories of stakeholders could express their vision of the SRAP, its content, and the ways and means of its implementation. This document reflects, to a broad extent, the conclusions and recommendations of such meetings and studies.

### *3.1 Consultative phase*

Consultations involved all categories of stakeholders who could and can still contribute to the substance of the programme. These were initiated very early, prior to the convention being submitted to the parties for signing. Thus, as far back as September 1994, following the CILSS initiative, a meeting of Ministers of Environment was convened in Ouagadougou.

One of the major recommendations from that meeting was the decision to draw up a single SRAP for the whole of West Africa including Chad which, although a central African country, is a member of CILSS.

The experts met again in Bamako in December 1994 to define the most suitable mode of implementation (of the SRAP) for the sub-region, taking due cognisance of the principles of participation and partnership.

Another sub-regional conference was organised in Dakar in July 1995, This meeting brought together national liaison officers of the CCD, experts and representatives of NGOs and IGOs, and development partners of the countries and institutions of the sub-region. This conference marked an important stage in the process of developing the SRAP, having made it possible to:

- determine the SRAP framework and fix the criteria for selection of activities.
- designate CILSS and ECOWAS, as provided for in Article 10[2] of the Convention's "Annex for Africa" as coordinating centres charged with conducting the process of drawing up and implementing the SRAP in West Africa. CILSS was chosen because of its experience and technical know-how in the area of desertification control, and ECOWAS on account of its political influence and of its wider geographical coverage.

In accordance with sub-paragraph 2 of Article 10 of the same "Annex for Africa", IGOs held a meeting in February 1996 in Lome, Republic of Togo, to agree on the role expected of them in this process and to form a consensus informed by their own experiences, on the most appropriate strategy for drawing up a programme for the joint management of common resources in the sub-region.

In July 1997, another meeting was held in Niamey, (Republic of Niger) to set priorities for the sub-region with regard to the management of common resources. Each country sent two or three representatives of civil society (NGOs, youth, women and farmers associations), and one or two government representatives.

The present structure of SRAP and the modalities of its implementation were defined at this meeting as they related to the priority sectors and lines of action, co-ordination and management mechanisms, determination of specific interest groups[3] and funding mechanism, particularly the decision that IGOs should make budgetary provisions for their participation and involvement in activities relating to the drawing and implementation of SRAP.

Subsequent to the Niamey meeting, a sub-regional co-ordination committee (SRCC) was established to carry on with business on behalf of all actors during the inter-sessions; this body has met twice: in December 1997 in Accra, Republic of Ghana, and in September 1998 in Cotonou, Republic of Benin.

At its Accra meeting, the SRCC endorsed:

- the document setting guidelines for the operation of the coordination and management bodies of the SRPA process;
- the budget for the preparation of the process;
- the plans to organise and coordinate interest groups, particularly the selection of lead organisations.

The Cotonou meeting also examined and endorsed this present document.

1. Some agencies worked as thematic groups and they held their first meeting in Ouagadougou in March 1998; this meeting was preceded two months earlier, in January 1998, also in Ouagadougou, by a meeting of team leaders of thematic groups. These meetings afforded the interest groups the opportunity to:
   - agree on an organisational framework for their activities;
   - carry out an in-depth and consensual analysis of each area of interest;
   - propose joint actions and measures to be carried out.
2. "African Countries can delegate to relevant sub-regional intergovernmental organisations the duty to operate as liaison centres for preparatory activities and co-ordination of the implementation of "SRPA" in sub-paragraph 2, it is also stated that "sub-regional institution can, upon request, provide support and/or be given the duty of coordinating activities relevant to their respective areas of specialisation".
3. The stakeholders registered on a voluntary basis in different groups that were setup on the basis of the eight priority areas of action that were selected.
4. Liberia and Sierra Leone conld not be covered due to the prevailing situation in those countries.

## 3.2 BACKGROUND STUDIES:

***a). National Studies:***

These studies were carried out in 15 out of the 17 countries within this programme. They sought to identify, together with NGOs and IGOs, some activities that could be included in the SRAP, bearing in mind the principles of prioritisation and complementarity between the NAP and the SRAP.

***b). Preliminary Studies preparatory to SRAP***

Three studies were conducted and served as working documents :

- Study to identify the basic components of the SRAP.
- Consideration of the methodology for preparing the SRAP, and this includes a set of mechanisms and methods of coordinating drafting of the SRAP.

- Study on the evaluation of the institutional architecture in West Africa.

## 4. AIMS AND OBJECTIVES OF SRAP

The aims and objectives of SRAP are closely linked to the Convention and seek to achieve the global objective of the CCD which is to *control desertification and mitigate the effects and impact the drought in those countries seriously affected by drought or desertification, particularly in Africa; through effective international co-operation and partnership arrangements at all levels.*

**AIM OF SRAP**

**To facilitate a re-examination of DC policies and programmes of party countries of the West African sub-region with the view to creating an environment conducive to reversing, harmonising and supplementing DC strategies.**

**STRATEGIC OBJECTIVE OF SRAP-WA TO ENSURE**

- **food security**
- **reliable power supply**
- **sustainable and quality economic growth.**

**OPERATIONAL OBJECTIVES OF SRAP**

- **Harmonise, supplement and improve efficiency of National Action Plans (NAP).**
- **Assist in determining and implementing long-term sub-regional strategies for more effective desertification control and drought relief.**
- **Implement jointly designed and approved programmes in partnership with stakeholders.**

### *1.5. Principles underpinning SRAP*

Parties to the SRAP have agreed that their activities shall be guided by the following principles:

- To ensure that all stakeholders, particularly the women and the youth, are involved in the drafting and implementation of the SRAP.
- To promote solidarity, partnership and co-ordination between the stakeholders in DC in the sub-region, so as to derive maximum benefits from the modest resources allocated to control efforts and achieve a multiplying effect; to rationalise and strengthen institutions involved in combating the effects of drought and desertification.
- To give primacy to the use of sub-regional resources in the implementation of the SRAP. Thus, external aid and support are to be seen as playing an adjunct role.
- Develop the SRAP to reflect the situation on the ground. Programme and project implementation will prove more effective when existing institutions, well established in their geographical environment, are involved rather than new institutions whose recurrent budgets might be beyond the means of our States.
- SRAP should be a gradual and iterative programme and should form a vital component of the poverty alleviation strategy;
- Strengthen co-operation with other sub-regions and all regions of the world.

# CHAPTER II
# PRIORITY AREAS OF THE SUB-REGIONAL ACTION PROGRAMME FOR WEST AFRICA

SRAP. WA priority areas were identified by the sub-regional forum held in Niamey (21-23 July 1997), based on the analysis of the sub-regional context and of the above objectives; the criteria for selection of activities were defined in July 1995 at Dakar and national studies carried out in August – September, 1996 in 15 out the 17 countries of the sub-region.

## 1. CRITERIA FOR SELECTION OF ACTIVITIES

The consultative meetings on the implementation of the convention in the sub-region made it possible to evolve a consensual opinion on criteria for the selection of SRAP projects and activities.

Among the many such criteria which activities must satisfy for inclusion in the SRAP, they must :-

- lay emphasis on the management of joint/shared resources; such joint programmes will promote inter-state cooperation, and create regional awareness on shared resources;
- foster regional integration and initiate action to strengthen it;
- contribute to capacity-building at both national and sub-regional levels;
- facilitate harmonisation of development policies and strategies, including measures taken to consolidate policies and incentives in a given country;
- facilitate achievement of economies of scale;
- ensure harmonisation of scientific and technical data. An inventory of data is likely to enhance information exchange and processing, as well as develop sub-regional communication systems.

## 2. PRIORITY AREAS OF ACTION

Priority areas and lines of action can be classified into three major groups, namely:

- The sustainable development of natural resources ( water resources, plant and animal resources, energy resources);
- The sustainable management of constraints and hazards relating to the management of natural resources. ( crop and forestry pest control, early warning and mitigation of the impact of drought );
- Measures to support or accompany sound management of natural resources (scientific and technical cooperatien, information / training / communication, development of intra-regional trade in local products).

## 3. SUSTAINABLE MANAGEMENT OF SHARED WATER RESOURCES.

### *3.1. Brief Overview*

The sub-region contains vast quantities of surface and underground water reserves which are shared by many of the states. Substantial financial resources have been invested in exploring the means of ensuring a rational, effective and equitable management of these resources by all the states, notably by creating sub-regional organisations such as the Senegal River Development Organisation (OMVS), Gambia River Development Organisation (OMVG), Niger Basin Authority (NBA) Lake Chad Basin Commission (LCBC), Mano River Union (MRU) etc.

These various organisations have made laudable achievements in terms of determining and implementing water resources management and development policies and strategies. However, such achievements are

modest indeed and are not yet fully optimised. Furthermore, conflicts very often arise in connection with access to and exploitation of common water resources.

Viewed against this background, the issue of sustainable management of common water resources in our sub-region is posed in this manner:

How to satisfy water requirements which is increasing in response to population growth and more buoyant economies in countries, against the backdrop of dwindling water supply brought about by:

- unfavourable climatic conditions and human activity (drought and desertification; agricultural, industrial and domestic practices).
- inadequate material, technological and financial resources to increase supply capacity (building of hydraulic infrastructure).
- lack of a forum for consultation and harmonisation of policies and strategies proposed by the stakeholders who have assembled considerable expertise at their individual levels which, unfortunately, is poorly utilised.
- lack of uniformity of national legal instruments.

### 3.2 *Objectives of the Programme in this Specific Areas*

- capitalise on the achievements of the various players this area.
- increase water supply significantly by protecting surface water points from silting and by improving ground-water extraction techniques.

### 3.3 *Expectations*

- Give wide coverage to the achievements of the various stakeholders and ensure joint utilisation and enrichment thereof;
- Steps will be taken to protect and regenerate watercourses and soils of river basins;
- A better knowledge of available natural resources and an introduction of a functional system for a permanent monitoring and evaluation of these resources.
- Harmonisation of the legal framework for management of natural resources in the various countries and/or the various border communities will be enabled to apply the same conditions and rules for the management of natural resources.

### 3.4 *Priority Lines of Action*

- Strengthening/improvement of the institutional, legal and financial framework;
- Conservation of water and soils of riparian basins;
- Enrichment of available data on common water resources;
- Development of trans-border river basins.

### 3.5 COMMON PRIORITY ACTIONS:

The following areas were considered to be activities which can be jointly carried out:

- STRENGTHENING/IMPROVEMENT OF THE INSTITUTIONAL/LEGAL/FINANCIAL FRAMEWORK
  - The interest group on "Sustainable management of trans-border water resources" should be made functional, effective, and accessible to all stakeholders (states, private sector operators, IGO, NGO, IO, civil society/beneficiaries, development partners).

- Improve, align and harmonise strategies, policies and legislations on the management of water resources common to the various Member States.

- PROTECTION AND CONSERVATION OF THE WATERS AND SOILS OF TRANS-BORDER BASINS.
  - Motivate operators to work, in groups or individually, through their projects and programmes, to promote concrete conservation activities. The Niamey meeting acknowledged that such actions were vital to ensuring the regeneration of soils and vegetal cover and regulating the flow of rivers.
  - Provide all actors with tools to enable them monitor the trends in the evolution of their ecosystems so as to be able to take preventive and remedial measures. These tools should also make it possible for them to address concerns relative to the need to enrich knowledge about shared water resources.
- SHARED WATER RESOURCES - DEVELOPMENT OF TRANSBORDER RIVER BASINS
  - Initiate in-depth examination of principles and modalities of the management of sub-regional infrastructures that are adapted to the capacities and possibilities of the countries on a long term basis.

This list of actions is not exclusive. Stakeholders are expected to identify and implement other actions, in keeping with the progressive, iterative principle.

## 4. SUSTAINABLE MANAGEMENT OF COMMON PLANT AND ANIMAL RESOURCES.

### *4.1 Brief Overview*

The situation in the sub-region shows clearly that biological beings are no respecters of official political boundaries, and this buttresses the need to coordinate and harmonise all natural resource management actions at national and sub-regional levels. Indeed, since most ecosystems straddle two or more adjoining countries, this is also true for many parks and animal reserves, fishing areas, forest reserves, grazing lands and cattle corridors. The situation is the same at borders; to that extent therefore, environmental issues can and should actually be considered as problems of common relevance to most countries in West Africa.

Problems in the livestock sector are also shared and focus on:

i. Narrowing of cattle corridors resulting from continuous encroachment of agricultural land.

ii. Increasing incidence of conflicts caused by issue of access to resources during movement of cattle and cattle rearers from the northern sahelian zone toward the sudano-sahelian zone.

iii. Growing pressure on constantly depleting resources pursuant to the adoption of a sedentary lifestyle by nomads.

iv. Weakened situation of individuals and groups as traditional social structures collapse (mutual help mechanisms, natural resource management systems,...)

Notwithstanding the similarity of these situations which offer a wide possibility for cooperation among stakeholders, management of the sub-region's ecosystems is currently subject to disparate, national regulations and development policies.

As is evident in the case of water resources, there is very little exchange of experience between those involved.

### *4.2. Objectives of the Programmes*

The major objectives of the SRAP with regard to transborder plant and animal resources are:

- To ensure sharing of proposed solutions to common problems on both sides of the border.
- Evolve answers to issues pertaining to the choice of appropriate forms and levels of human and financial resources required.

### *4.3 Expectations*

- Elaboration and application of common policies to regulate the use of resources shared by many states.
- Data on successes and failures recorded in the management of shared resources will be widely disseminated across the whole sub-region.
- The existence and evolution of transborder plant and animal resources will be better monitored and managed.

### 4.4 PRIORITY ACTION LINES:

- Management of protected areas: national parks and plant wildlife reserves.
- Management of pastoral resources and transhumance.
- Management of forest, and
- Management of fragile ecosystems, humid or arid zones, highlands, mangroves

### 4.5 COMMON PRIORITY ACTIONS:

Urgent actions to be carried out to ensure a rational and globally viable management of transborder plant and animal resources are the following:

- The interest group on "Sustainable management of trans-border water resources" should be made functional, effective, and accessible to all stakeholders (states, private sector operators, IGO, NGO, IO, civil society/beneficiaries, development partners).
- Develop projects and programmes to strengthen the capability of grassroots stakeholders, including agropastoralists.
- improve co-ordination/consultation between all those concerned in general, and also within each group of stakeholders (States, IGOs, NGOs, IOs, OCBs, etc.).
- Improve and/or define a sub-regional institutional and legal framework that is coherent and tailored to the needs of a sustainable management of shared natural resources.
- Harmonise laws and regulations governing management of shared continental fishery resources.
- Ensure active and effective involvement of riparian populations in the use of parks and resources.
- Enrich knowledge on the volume, quantity and evolution of transborder Plant and animal resources.

This summary of actions is not exhaustive. Stakeholders are expected to identify and implement other actions, in line with the iterative and progressive character of the above.

## 5. RATIONAL DEVELOPMENT AND MANAGEMENT OF ENERGY RESOURCES:

### *5.1 Brief overview:*

A study of the energy situation in the sub-region shows that, in spite of sometimes notable specific features, the countries generally present near-similar patterns of energy supply which is characterised by:

- heavy dependence on traditional fuels (fuelwood and charcoal). These fuels represent over 70% of the total energy consumed.
- Very low level of electric power supply (less than 10% in most countries). This situation is even more pronounced in the rural areas where electricity connection rate households very rarely exceeds 35% compared with 35% in North Africa and 45% in East Asia.
- Dependence on external fuel supply (10 to 40% of export expenditure of the countries in this zone).

If this trend persists, pressure on the vegetal cover will continue to rise in tandem with the increase in the demand for food crops and energy. These populations will continue to require more land to till, to increase their agricultural production, and also for more fuelwood for their basic energy needs (cooking, heating, etc.). In short, agricultural and agro-pastorial practices, as well as the use of biomass energy will lead to a perennial vicious circle of desertification with its attendant fall in agricultural and livestock production, and rise in migration and poverty levels etc..

## 5.2 OBJECTIVES OF THE PROGRAMME IN THIS SPECIFIC AREA:

The programme shall strive to achieve the following:-

- Increased availability of new and renewable energies to make them more accessible to the populace and thus ensure sustainable development.
- Ensure long-term substitution of fuelwood and charcoal with other sources of energy, including new and renewable energy sources.

## 5.3 *Expectations*

- A better understanding and use of energy technologies and resources.
- N & R Energies will be simplified and made accessible to the people
- Improvement in rural electrification
- Better management of hydro-electric infra-structural installations and of the impact of hydrological dams of sub-regional scope.

## 5.4 PRIORITY LINES OF ACTION:

- Encourage use of new and renewable energy sources
- Energy supply to rural areas.

## 5.5 COMMON PRIORITY ACTIONS:

- The interest group on "Rational development and management of energy resources" should be more functional, effective and accessible to all stakeholders (States, private sector operators, IGOs, NGOs, IOs, civil society/beneficiaries, development parties). The group should be a platform for consultation and exchange of information on alternative energy technologies, e.g. wind energy and biogas.
- Carry out a sub-regional study on the impact of various energy policies on:
  - i Vegetation;
  - ii Rural power supply;
  - iii Desertification.
- Formulate and implement a coherent communication strategy aimed at informing user of the existing possibilities and the means or accessing them.

- Bring N & R. E. technologies to households by:
  - Putting in place a relevant financial mechanism;
  - Creating a legal and institutional framework that would encourage mass utilisation of new and renewable energy technologies.
  - Improving the technical knowledge (research, technology transfer, training, creation of low-cost production technologies for production of materials and equipment).
- Ensure a good understanding of the environmental impact of hydroelectric drains and related facilities by putting in place an environmental impact assessment and monitoring mechanism.
- Harmonise national and sub-regional policies by:
  - Drawing up and applying protocols granting tax relief on N & R. E. produce products.
  - Incorporating the energy sector into rural development programmes (relationship energy / agriculture)
  - Introducing NRE/Environmental topics into school curricula and university programmes.
- Carry out an assessment of all results obtained.

This list of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in keeping with the iterative and progressive principle of the programme.

## 6. CROP AND TREE PEST CONTROL

### *6.1 Brief overview*

It is worth recalling that desertification is defined as the degradation of soils in arid, semi-arid, sub-humid and dry environment due to a variety of factors, including human actions and climatic factors". In this definition, "Soil" means the earth bioproductive system which includes, soils, plant and other living organisms, as well as the ecological and hydrological phenomena which occur therein.

Clearly, therefore the scope of desertification control is not, nor can it be limited to soil protection or conservation. It must encompass plant protection, water conservation as well as presentation of other living organisms.

There is a clear understanding of this problem in West Africa, even though plant, wildlife and livestock protection activities had previously focused on control of crop and livestock pests and the attendant negative impact on bioversity and food chains.

Past and on-going experiments have shown that chemical control, using very active and polluting ingredients was and, still is the most commonly and widely used mode of phytosanitany action. The numerous problems posed by the management of pesticides in the sub-region have led individual countries to enact laws seeking to harmonise their use. These laws are not properly applied and they vary from one country to another, thus leaving loopholes that are exploited by people living in the border areas, and those operating in the informal business sector.

Biological and integrated control methods have been identified as effective means of checking and reducing pest and disease vectors; however, these methods are still at the experimental stage. The fact that national research and extension organisations dealing with pest and disease control have been working in isolation has not favoured advancement of knowledge in this field. Furthermore, poor information system and database have hampered the efficiency of some rare sub-regional organisations working on evolving prevention methods.

### *6.2. Objectives of the Programme in this specific area*

- Protect plants, crops, trees and animals against pests and other pathogenic carriers;
- To be constantly able to detect early and quickly destroy sources of contamination.

### *6.3. Expectations*

- To reduce heavy losses of crop, forest and livestock resources caused by infestation by plant pests and diseases, so that they represent a small percentage of overall recorded losses.
- Adequate legal provisions are made at national and sub-regional levels to ensure use of high quality products, and as well as rapid and coordinated interventions.

### *6.4. Priority Lines of Actions*

- Coordinated action against locust attacks;
- Coordinated action against grain-eating birds;
- Harmonisation of phytosanitany laws;
- Measures to control weeds, diseases, crops and animal pests.

### *6.5. Common Priority Actions*

- The study group on "control of crops and tree pests" should be made functional, effective and open to all stakeholders (States, private sector operators, IGOs, NGOs, IOs, civil society/ beneficiaries, development partners);
- Strengthen the early warning system to monitor and measure variations caused by the various scourge and enhance sub-regional and national capabilities in this domain;
- Carry out a comparative analysis of national phytosanitary laws and seek to harmonise them;
- Create a data base management system with a sub-regional bias;
- Widen the membership of Sahel committee on pesticides to include other countries in West Africa;
- Consolidate joint actions to control birds and locusts;
- Support the on-going initiative on eco-toxicological research and on production of good breeds of forest seeds;
- promote biological control, particularly in respect of root crops in the coastal countries.

This summary of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in line with the iterative and progressive principle of this programme.

## 7. EARLY WARNING AND DROUGHT ALLEVIATION

### *7.1 Brief overview*

Since 1968, the Sahelian zone of the sub-region has been experiencing recurring drought which has caused a food deficit and, sometimes, famine. In the coastal areas, these periods of drought have, in the past few years, had a very negative impact on their economies. Indeed, the traumatic effects of low water level at the Akossombo dam on the economies of Ghana, Togo and Benin are still fresh in our memories.

In our sub-region, timely forecast of some agro-hydro-meteorologioal phenomena/factors is of vital

importance to the survival of millions of human beings and animal. This allows actions to be taken within a reasonable time frame, to neutralise and / or curtail the impact of the above factors.

With assistance provided by some institutions, notably FAO, many countries have endeavoured to establish a national early warning system. The main function of these systems is to provide timely forecast of possible food crisis, identify and define the critical areas, and organise urgent food distributions.

A number of inadequacies have however been observed in the existing systems:

- poor harmonisation of national early warning systems;
- inadequate awareness of the regions vulnerability, above all, lack of monitoring methods and a map showing high risk zones; even though socio-economic and biophysical data collection, storage and management system exists (low and high resolution ground and remote sensing observations)
- inadequate agro-meteorological and climatological forecasting capabilities in spite of the sub-regions improved potential to assess the food and ecological situation and to provide continuous monitoring through development and enhancement of data processing and analysis methods and tools:
- Absence of a policy on the management of intra-national and transborder migrations; lack of reference data on the environmental situation, inadequacy of existing mechanisms for assessment and monitoring of natural resources and the environment.

### *7.2. Objective of the Programme in this Specific Area*

The main objective of the programme in this particular area is to strengthen national and sub-regional capabilities to prevent and control drought and the attendant risks, including food insecurity and degradation of natural resources.

More specifically, this sub-programme should consolidate sub-regional capabilities in terms of:

- Providing a clearer understanding of the environment and the global food situation;
- Assessment of the fragility of the human environment and settlements;
- Determination of critical areas
- Response to and management of drought related crisis.

### *7.3. Expectations*

- Availability of data shall be available on the monitoring of the various components of the agricultural campaign.
- Determination and application of criteria establishing environmental fragility; provision of maps showing vulnerable and critical areas.
- Strengthening of forecasting network and programmes of various institutions and their facilities.
- Drafting and implementation of relevant policies and strategies to counter drought and manage resultant crises.

### *7.4 Priority Lines of Action*

- improve data collection, processing and dissemination.
- improve and upgrade agro-meteorological data.
- Technical and scientific cooperation in the area of climatology and agro-meteorology.

- Prevention and management of ecological crises and improvement of local population response capabilities.
- Joint management of cases of ecological refugees.

### *7.5 Common Priority Action*

- The study group on "early-warning system and drought alleviation" should be made functional, effective and accessible to all stakeholders (States, private sector operators, IGOs, NGOs, IOs, civil society/beneficiaries, development partners).
- Produce a compendium that can provide references on the state or natural resources and the environment.
- Put in place permanent arrangements for continuous monitoring and assessment of the evolution of the environment and natural resources;
- Create a harmonised data base at national, sub-regional and regional levels; also, a data base management system to provide early warning and drought relief. The system would be updated by the various stakeholders and managed by the AGRHYMET Centre in Niamey;
- improve facilities for early warning and drought relief (training, transfer of technology, technical facilities, etc.)
- intensify research on crop production and meteorological forecast, including traditional methods and tools;
- provide support in the elaboration and implementation of a programme on drought prevention and drought crisis management.

This summary of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in line with the iterative and progressive principle of the programme.

## 8. SCIENTIFIC AND TECHNICAL COOPERATION

### 8.1. Brief Overview

It is difficult to obtain concrete, lasting results on drought control in the absence of reliable scientific data on the phenomenon, its causes, intensity, evolution and effects. Such data are crucial for determining appropriate actions and suitable technology.

One of the weak points of the on-going national process is the fact that operators cannot have reliable data, including integrated series of physical, biological, social and economic indicators on the status of natural resources, and the respective impact and role of natural and human factors in the evolution of desertification.

Every country in the sub-region has universities, research centres and institutes. There are also sub-regional specialised training and research institutions. Similarly, international research institutions, or those with some special cooperation links are active in the sub-region.

All these institutions collect and compile important data in the area covered by the SRAP. However, due to inadequate resources and cooperation among researchers and scientific expert, and between decision-makers, researchers and producers (some acting without always taking account of the concerns/needs or contribution of others) these data are not fully put into use for desertification control.

### *8.2 Objective of this programme in this specific area*

- provide tools and know-how that would afford greater insight into:

(i) the process leading to desertification and drought, and

(ii) the impact of this process and the role played by natural and humans factors respectively;

- Promote dialogue between decision makers, researchers and producers in defining and applying research programme aimed at designing better, cost-effective technologies that are affordable by the local populations;
- Preserve, integrate and make optimum use of local and traditional know-how and practices;
- Exchange and disseminate, freely and promptly, any available information relating to desertification control and drought relief.

### *8.3 Expectations*

- A functional sub-regional network of institutions and facilities for data collection, analysis and dissemination, capable of systematic observation at all levels;
- Viable, affordable technologies accessible to the local populations are evolved, tested and disseminated;
- Establishment of a functional system for the dissemination of scientific information on desertification and environment.

### *8.4 Priority Lines of Action*

- Collection, processing and exchange data and other information;
- Technology acquisition, transfer, and adaptation; exchange of experiences;
- Adoption of joint research programmes, notably in the following areas: agriculture (production and testing of drought - resistant strains, etc..) environment, health and poverty eradication.

### *8.5. Common Priority Activities*

- The study group on "scientific and technical cooperation" should be made functional, effective and accessible to all stakeholders (State, private sector operators, IGOs, NGOs, IOs, civil society/beneficiaries, development partners;
- inventorise, assess and harmonise databases on desertification control measures;
- evolve an information system focused on desertification;
- Create a sub-regional scientific periodical on desertification control issues.
- Maximise the benefits of available scientific and technological research findings by relating them to the actual needs of the people;
- Draft an analytical compendium of desertification control practices in the sub-region.

This list of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in keeping with the iterative and progressive principle of the programme.

## 9. INFORMATION/TRAINING/COMMUNICATION

### *9.1. Brief Overview*

A participatory approach and partnership with the people are key conditioners of success in desertification control. These principles are however not easy to apply. The on-going national process of NAP indicates that various countries find it difficult to determine how this issue should be handled. This is more glaring in some countries, particularly those of the Gulf of Guinea, where the phenomenon of desertification is

not perceived as a problem of relevance to all, and one to which all sections of the society must contribute to finding a solution.

Since desertification is no respecter of national boundaries and consideration that the success of control measures depends on the readiness and willingness of all countries and all stakeholders to include it among their priorities, the SRAP should strive to support those countries' efforts to promote environmental awareness and to upgrade the relevant facilities and expertise.

### *9.2 Objectives of the programme in this particular area.*

- Initiate and support public awareness and education campaigns to promote a better understanding of the causes and effects of desertification and drought and of the vital need to attain the objectives of the CCD.
- Assist in strengthening the capabilities of countries and actors in the sub-region to combat desertification, and in particular, by designing and implementing training programmes.
- Support, and if necessary, organise training for decision-makers, managers and officials responsible for data collection, analysis, and dissemination, and those who apply information on drought obtained from experts in other areas.

### *9.3 Expectations*

- Emergence of a keen awareness of environmental issues in the sub-region;
- Availability at the various levels (local, national, sub-region/of a critical body of expertise in the field of planning and management of integrated DC programmes

### *9.4. Priority Lines of Action*

- Information, awareness-creation on desertification control and on the various aspects of the SRAP;
- Specialised/advanced training for senior personnel from the sub-region in the area of scientific and technical options for DC;
- Dissemination of the findings and achievements of other thematic groups.
- Strengthening of available capabilities through environmental education.

### *9.5. Common Priority Activities*

- The study group on "Information, training, communication "should be made functional, effective and open to all stakeholders *(States, private sectors operators, IGO, NGO, IO, civil society/beneficiaries, partners in development.)*
- Draw up, for the benefit of all concerned, communication strategies adapted to the different ecological and geographical conditions in the sub-region.
- Support awareness campaigns and training programmes carried out as part of the adopted communication strategies;
- For the benefit of decision-makers and managers of national and local action programmes, develop and carry out training programmes in the relevant areas of desertification control.

This summary of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in keeping with the interactive and progressive principle of the programme.

# 10. COORDINATION POLICIES FOR COMMUNITY MARKETING SYSTEMS AND INFRASTRUCTURAL DEVELOPMENT.

## *10.1 Brief Overview*

Even against this background of agro-ecological fragility and localised risk zones, it is still possible to achieve some measure of sub-regional food security by drawing on the comparative advantage of each state. To achieve this will require removing all barriers to transborder trade in local agricultural food products must be removed. A few of the main barriers identified are:

- Poor quality and inadequate coverage of road networks;
- Administrative harassment;
- Inadequate access to good quality trade information; etc.

Organisations such as ECOWAS, UEMOA and CILSS are actively involved in seeking ways to ease trade flows between the countries of the sub-region, and to give value-added to local products through processing and marketing. The three institutions already have in place a consultative platform which deserves to be supported and opened to other IGOs.

## *10.2 Objectives of the Programme in this Particular Area*

- improve the sub-region's potential for agricultural and forestry production, and reduce its dependence on the other regions;
- enhance the sub-region's potential for competitive agricultural production, processing and marketing;
- increase trade in agricultural, food and forestry products between sahelian and coastal countries.

## *10.3. Expectations*

- Substantial improvement in the income of producers of basic local commodities;
- Removal or reduction of barriers to intra-Community trade in agricultural produce; thus ensuring food security in the sub-region
- Improved ability to measure accurately the impact on the balance of payment of the importation of food products.

## *10.4 Priority lines of Action*

- Define and implement a food security policy for the sub-region, by removing impediments to trade and adjusting to the challenges of regional and global trade;
- create trading channels for local products;
- develop and enhance marketing and communication infrastructures.

## *10.5. Common Priority Activities*

- The study group on "Coordination policies for community marketing system and infra-structural development" should be made functional, effective and open to all stakeholders (States, private sector operators, IGOs, NGOs, IOs, civil society / beneficiaries, development partners;
- Design and implement a policy for the effective development of a sub-regional food agricultural market relying on existing trade regimes and mechanisms;

- Facilitate application of community laws and regulations;
- Identify and implement trade production and promotion projects and programmes between the countries;
- Inform producers of the existence of laws and regulations on movement of goods and persons;
- Design and implement a monitoring system on the impact of sub-regional, regional and global trade on the income of rural dwellers, on food security and on rural development in the various countries.

This summary of activities is not exhaustive. Stakeholders are expected to identify and implement other related activities, in keeping with the interactive and progressive principle of the programme.

# PART THREE
# IMPLEMENTATION STRATEGY

## CHAPTER I
## STAKEHOLDERS AND ORGANS OF SRAP

The multiplicity of institutions is a major feature of the West African sub-region. This situation leads to spatial overlapping in terms of the areas of mandate covered by these institutions. The result is a duplication of efforts which exacerbates rivalry, with each organisation claiming to be duly mandated by various statutory bodies.

Other categories of stakeholders also exist, such as civil society (NGOs, women, youth and farmers' associations or societies, etc.) networks, regional and international research organisations, training institutions etc.

The activities of all these bodies, through laudable, are undermined by lack of coordination, which reduces their actual impact in the sub region. The United Nations Convention to Combat Desertification, especially through its sub-regional action plan, has opened opportunities for the various operators within West African to work together in a coordinated and concerted manner, as partners taking full advantage of the complementarity of their areas of specialisation and / or their strategy.

The stakeholders in SRAP-WA are:

1. government institutions (the State and its organs) ;
2. sub-regional cooperation agencies (inter-governmental bodies and organisations) regional and international research networks and organisations, sub-regional training institutions,...);
3. civil society organisations and societies (NGOs, women, youth, farmer's societies and private sector operators...);
4. bilateral and multilateral cooperation agencies.

### 1. ROLE AND RESPONSIBILITIES OF STAKEHOLDERS

#### *1.1. Role and duties of the State and its organs*

The role and duties of the State and its organs in the implementation of the SRAP can be listed as follows:

- To define national policies and, in this regard, encourage use of the participatory and partnership approach.
- Contribute to the drafting, implementation and monitoring of the various options under the Sub-regional Action Programme.
- Ensure that due account is taken of PAN and RAP projects, programmes and activities within the overall country or sub-regional policy framework;
- Elaborate and apply relevant measures, mechanisms and laws designed to facilitate implementation of the Programme;
- Participate actively in mobilising the financial resources needed to implement the SRAP.

### *1.2. Role and responsibilities of stakeholders in civil society*

The democratisation process unfolding in West Africa has thrust to the fore a great variety of stakeholders/ operators working in various areas: economy, education, culture, arts, sports, trade union, human rights, political action, etc., smallholders' associations, NGOs, civil society organisations. They are among these deserving of a sustained attention with regard to management of shared resources. Ensuring that all these interested parties are active participants in the implementation of the SRAP is a critical factor in determining the level of commitment of stakeholders to the CCD.

The roles and duties of civil society groups can be summed up as follows:

- to participate in reflection, and in the identification and optimisation of achievements made in the field of desertification control;
- to contribute to the preparation of projects and programmes;
- to take active part in debates on management of shared natural resources, in consultations and sharing of experience;
- to play their expected role in:
  - extending the information outreach and in awareness-raising campaigns targeting OCBs, NGOs and other players in the SRAP;
  - creation of a technical and logistical framework of action for members of OCBs and NGOs in the activities of SRAP;
- to contribute to local and external financial resource mobilisation.

### *1.3 Role and responsibilities of development partners*

The SRAP is an opportunity to renew and enrich partnership relations. In this regard, partners in development can be said to have the following role and responsibilities:

- to assist in making due appraisal of cooperation efforts within the context of desertification control;
- to participate in assessing the volume and impact of global and specific assistance offered by various partners;
- to be closely involved in the elaboration and joint application of new policies and guidelines, particularly as they relate to the SRAP;
- to be fully involved in the preparation, application, monitoring / assessment and coordination of SRAP programmes and projects;
- to follow up action pertaining to the technical and financial commitments to CCD.

## 2. THE ORGANS OF THE SRAP

The SRAP constitutes a permanent framework for coordination, streamlining and, where necessary, harmonisation of activities by the stakeholders in the sub-region. Should it prove to be dynamic, effective and responsive to new situations and on-going mutations in the sub-region, it could provide vital leverage for the rationalisation and refashioning of the institutional landscape of IGOs and for improving their performance, thus achieving the much-desired synergy between organisations.

The following coordination and guiding mechanisms will be necessary to enable the SRAP to successfully confront this challenge :

- Political decision-making body;
- Sub-regional forum of stakeholders;
- Sub-regional coordination committee;
- Technical secretariat of the SRCC;
- Thematic study groups.

### *2.1. The Authority of Heads of State and Government*

The ECOWAS Authority, which is extended to include Chad, is the highest decision making body of the SRAP –WA. It has the responsibility to adopt the SRAP, and to adapt it to the specific needs of the future. The summit meeting shall be prepared by the Ministers in charge of Agriculture and Environment of member States of CILSS and ECOWAS.

### *2.2. Sub-regional Forum of stakeholders*

This forum shall comprise all those who have a role to play in the management of shared resources of the sub-region: government institutions (the State and its organs); sub-regional cooperation institutions (inter-governmental institutions, organisations, regional and international research networks and institutions, sub-regional training institutions,...); civil society organisations and associations (NGOs, women, youth, farmer's associations and bodies, private sector operators...); bilateral and multilateral cooperation agencies.

The forum has as its mandate to report on the monitoring / assessment of the SRAP process, to analyse and comment on past activities, suggest remedial measures and necessary adjustments, propose new directions which may be dictated by changes in the sub-regional situation. This body shall meet once in three years. The conclusions of its meetings are to be implemented by all other organs except the decision-making organ for which it acts as an advisory body.

### *2.3.The Sub-regional Coordination Committee ( SRCC)*

*The SRCC shall carry out these functions:*

- Determine priorities:
- Organise activities according to set priorities and availability of funds;
- Endorse all documents and research works or feasibility studies;
- Validate documents to be presented by its technical secretariat to the forum or to the meeting of the Authority;
- Provide support to facilitate and conclude partnership agreements.

The SRCC is convened every year, or as necessary, under the chairmanship of ECOWAS. It is made up of the following organs, institutions and organisations:

- The liaison centres (ECOWAS and CILSS)
- Representatives of Member States (17 national coordination units)
- Representatives of civil society (1 representing RIOD-WA, a representative of women's societies and youth associations, a representative of farmers' associations);

- Representatives of regional and sub-regional financial institutions, notably ADB and BOAD;
- Leaders of thematic study groups ;
- Representatives of development partners (bilateral and multilateral cooperation)

### *2.4. Technical Secretariat of the SRCC*

The Secretariat is under the supervision of the SRCC but run by the CILSS. Its main duties are to:

- prepare meetings of the SRCC and produce its reports;
- provide the necessary technical support to leaders of thematic study groups and to countries (upgrading national action programmes);
- carry out any assignment assigned to it by the SRCC ;
- monitor the activities of the SRAP, prepare and submit evaluation reports to the SRCC;

### *2.5. Thematic Study groups*

These thematic study groups are as much a scientific and technical study group as a forum for consultation and coordination which should enable identification and proposal of actions likely to contribute to resolving the problems / constraints encountered in their specific areas of specialisation.

These groups were set up on the basis of eight priority areas of action and their membership is made up of sub-regional participants involved in or having relevant expertise in the field.

The groups are designed to be special permanent platforms for continuous consultation between experts operating in the same field. Provided that they function effectively, they should facilitate synergy of action and prevent duplication of efforts.

Furthermore, these interest study groups are to be seen as playing the role of a consultative body for the sub-regional coordination committee whose efforts to raise awareness in development partners in order to involve them more effectively in the process should be supported.

The activities of each thematic study group are coordinated by a team leader.

The table below gives the composition of each of the study groups. This is an open-ended list; furthermore, it is worth recalling that, in the spirit of dynamic and participatory partnership that is recommended in the Convention, national, regional and international organisations must be involved on the basis of their mandates and specialisation: National Centre for Forestry Seeds, Ouagadougou, Ecological Monitoring Centre, Dakar, CRAT, ACMAD, IITA, ILRL, MULPOC, ICRISAT, IRED, IRDC, etc.

| STUDY GROUP | MEMBERSHIP | LEAD ORGANISATION |
|---|---|---|
| 1) Sustainable Management of shared water resources | OMVS, FoutaDjallon Project, ECOWAS UEMOA, OMVG, CILSS, LCBC, NBA,MRU, CMNNC,ALG, RIOD,WARDA | Senegal River Valley Development Organisation (OMVS) |
| 2) Sustainable Management of Shared plant and Animal resources | UEMOA, ECOWAS, CILSS, ALG, CEBV, EISMV, OMVG,MRU, WARDA, NBA Fouta Djallon Pro., OMVS, IPD/AOS, RIOD/AO | WEST AFRICAN ECONOMIC and Monetary Union. (UEMOA) |
| 3) Scientific and Technical Cooperation. | CILSS, ECOWAS, NBA, Fouta Djallon Project, CEBV, UEMOA, CRTO, WARDA, RIOD-AO, OCLALAV, OMVS, OMVG,MRU | Sahel Institute of the Permanent Inter-State Programme for Drought and Desertification Control CILSS/ INSAA |
| 4) Rational Development and Management of Energy Resources | OMVG, OMVS, CILSS, , ECOWAS, UEMOA, MRU, RIOD/AO | International Network of West African NGOs involved in desertification control (RIOD/AO) |
| 5) Crop and Forestry, and Livestock Pest Control | OCLALAV, CILSS, OMVG, OMVS, RIOD/AO, ECOWAS, UEMOA, MRU, ALG, CEBV, MRU, NBA. | OCLALAV |
| 6) Early Warning System and Drought Effect Alleviation | CILSS, ECOWAS, UEMOA, NBA, Fouta Djallon Proj. CEBV, CRTO, RIOD/AO | CILSS Regional Agro-hydro-Mete-orological Centre (AGRHYMET) |
| 7) Information/Training/ Communication | OCLALAV, CILSS, ECOWAS, UEMOA, IPD/ADS, CESAD, EISMU, CRTO, RIOD/AO ASSOCIATION | Institute Pan-African Development Institute (PDI/WA) |
| 8) Coordination Policies for Common Marketing Systems and Infrastructural Development | ECOWAS, UEMOA, CILSS, CEBV, RIOD/AO, West African Women's Association | Economic Community of West African States (ECOWAS) |

It is incumbent on the participating bodies, through their specific area of intervention, to animate the partnership, to carry out a clear and equitable sharing of responsibilities, and to be actively committed to the implementation of selected activities.

The thematic study groups, and including their members, shall have the following main duties:

- Conduct an assessment of actions undertaken within their area of intervention in relation to the needs of the sub-region, and where possible, suggest adjustments that would need to be considered;
- Evaluate their own activities to determine how far and to what extent they respond to the needs identified, and suggest readjustments to be given consideration;
- Identify areas of duplication of effort and make suggestions for reorganisation with a view to saving resources and optimising their impact;
- Direct, study and analyse, in accordance with the established selection criteria, the projects and programmes in the various specialised areas that are submitted under the SRAP;
- Consider any specialised issue germane to their field that may be submitted by the SRCC;
- Make appropriate recommendations to the SRCC for the effective operation of the group;

- Contribute to the coordination, streamlining and promotion of the group's activities;
- Facilitate sharing of experience between members.

## FUNCTIONS OF THE LEAD ORGANISATIONS

***Technical Level:***

- compile a list of all the participants;
- organise and sustain a reflection and consultation forum for members;
- initiate drafting of projects and programmes, studies, consultations and exchanges between the various partners;
- supervise formulation of projects and programmes of the group and monitor their implementation.

***Administrative Level:***

- organise meetings of the group in collaboration with the Technical Secretariat;
- produce minutes and reports of meetings;
- prepare annual reports on the activities of the group.

# CHAPTER II

# PROCEDURES FOR DRAFTING AND IMPLEMENTING PROGRAMMES AND PROJECTS

## 1. PROCEDURES FOR PROJECT DESIGN AND IMPLEMENTATION

This current SRAP document is not a project or programme document prepared for funding considerations. Rather, it is a strategic reference material, a guide to the identification of activities that might be judged relevant to sub-regional needs.

The actions proposed in the SRAP are not for immediate implementation, either in their totality or across the entire West African territory. The implementation of the SRAP shall be on a sustained, continued and iterative basis.

The activities to be carried out are to be determined progressively, through concerted action and will be informed by the priorities and capabilities of the countries and stakeholders. More specifically, the SRAP shall be carried out in the following stages:

i) Based on the orientations set out in the SRAP basic document, a country, NGO/IGO, or any other stakeholder (individually or in partnership with others) may at any time, pinpoint one or more activities depending on the needs of the populations. One or several projects or programmes identification form(s) are then completed and forwarded to the relevant interest study group(s)-

ii) The forms are considered against priorities for the sub-region, macro-economic exigencies and the financial capabilities of the relevant study group(s). Efforts shall always be made to ensure cohesion with on-going or planned activities by the various stakeholders (confirm relevance, identify areas of intervention, determine areas of duplication and of synergy, rationalisation of the activities). The final selection shall be made by the SCRC which will select the body to oversee preparation of the feasibility reports. The Technical Secretariat of SRAP will take part in fixing the terms of reference, and in the selection of consultant(s) and monitoring of the studies. The Thematic Groups shall meet every year.

iii) Feasibility studies are prepared.

iv) Documents are examined and endorsed by the SRCC, which meets once a year.

iv) Implementation (technical and financial execution) is carried out by the most suitable sub-regional originator of the project, as identified through the feasibility study and selected by the SRCC. The actual field execution can be entrusted to a single operator or to several actors working in partnership. Resource mobilisation (financial and material) shall be a continuous process, and shall form part of the mandate of the liaison centres, lead organisations of study groups and approved stakeholders.

v) Monitoring/evaluation process shall be done by the Technical Secretariat, the selected agency/ agencies, notably the Regional Unit of the Regional Action Programme (RAP), and the thematic group(s). Every three years, the sub-regional forum shall review the analytical report of implementation and shall, thereupon, submit its recommendations to the decision making organs of the SRAP to be finalised or realigned, where necessary.

## 2. RESOURCE MOBILISATION

Mobilisation of considerable human and financial resources will be required if the SRAP is to achieve its set goals in the various priority areas. In the face of dwindling development aid and a particularly difficult economic environment, West African States will have to rely primarily on their own resources and on the opportunities available within the sub-region.

Genuine, concrete commitment is demanded of all participants (States, IGOs, civil society, and private sector operators). All are expected to have a SRAP budget line included in their annual budgets.

In addition to these local resources, it is hoped that external resources (additional resources) would be raised from:

- grants and soft loans;
- mechanisms under the Global Environment Facility. In this case, stakeholders should be able to use to their advantage the provisions of other agreements pursuant to the RIO convention;
- NGOs, foundation and private agencies of the North;
- bilateral and multilateral cooperation agencies;
- debt conversion mechanisms for States and IGO in the sub-region.

A sub-regional facility shall be created to ensure transparent, rational and effective use of the resources mobilised. All actions to be carried out in this connection shall be handled by the two liaison centres; they may opt to secure the technical support of the Africa Regional Unit hosted by ADB for the implementation of CCD or to seek the contribution of any other competent and relevant sub-regional stakeholders.

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**H.E. Ahmad Tejan KABBAH**
President of the Republic of Sierra Leone

**H.E. Gnassingbé EYADEMA**
President of the Togolese Republic

## DECISION A/DEC.1/12/99 RELATING TO THE ADOPTION OF A SUB-REGIONAL ACTION PROGRAMME TO COMBAT DESERTIFICATION IN WEST AFRICA

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

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

MINDFUL of the United Nations Convention adopted on 17th June, 1994, to combat desertification in countries seriously affected by drought and/or desertification, particularly in Africa;

MINDFUL of the conclusions of the meeting of experts from ECOWAS and CILSS Member States, to consider the sub-regional action programme to combat desertification, which took place in Lomé from 20th to 22nd May, 1999;

DEEPLY CONCERNED by the grave socio-economic and ecological effects of drought and desertification for the sub-region;

CONVINCED of the pressing need to strengthen sub-regional cooperation in matters relating to desertification control and mitigation of the effects of drought, with a view to contributing to the sustained development of the ECOWAS Member States;

REAFFIRMING the unwavering commitment of the countries of the sub-region to the deployment of all necessary means to combat desertification;

ON THE RECOMMENDATION of the Forty-fourth Session of the Council of Ministers held in Abuja from 18th to 20th August, 1999.

**HEREBY DECIDES**

**Article 1**

The sub-regional action programme to combat desertification in the ECOWAS Member States, attached hereto, is hereby adopted.

**Article 2**

The ECOWAS Executive Secretary, in collaboration with CILSS shall commenoe negotiations with development partners with a view to facilitating the mobilisation of necessary resources for the implementation of the programme.

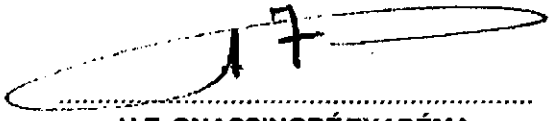
**Article 3**

The ECOWAS Executive Secretariat, in collaboration with CILSS, shall identify and ensure timely execution of appropriate and concrete measures, consistent with the sub-regional action programme, and in conformity with the principles, orientations and modalities approved by the meeting of Ministers of Environment.

**Article 4**

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

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## DECISION A/DEC.2/12/99 ADOPTING THE STRATEGY TO ACCELERATE THE REGIONAL INTEGRATION PROCESS

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

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

CONSIDERING that the primary objectives of ECOWAS are to abolish among Member States all duties and taxes of equivalent effect, establish a common external tariff for the sub-region, and to harmonise the economic and financial policies of Member States;

DEEPLY COMMITTED to the unity of the sub-region and to the development and integration of the economies of the Member States;

DETERMINED to strengthen the sub-regional integration process through the adoption and implementation of harmonised, realistic and pragmatic community programmes;

DESIROUS of establishing conditions for the realisation of the sub-region's economic potentials;

ON THE RECOMMENDATION of the Forty-fourth Session of the Council of Ministers held in Abuja from 18th to 20th August, 1999.

**DECIDES**

**Article 1**

The attached Strategy to accelerate Regional Integration in West African is hereby adopted.

**Article 2**

1. Member States shall implement the ECOWAS priority programmes contained in the Strategy within the shortest time possible.

2. Member States shall support the Executive Secretariat in the implementation of the Strategy to accelerate the regional integration process.

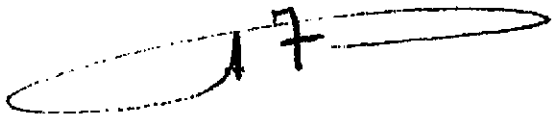
**Article 3**

The Executive Secretary shall take all necessary measures to obtain assistance from donors, particularly the European Union, for the effective implementation of the strategy to accelerate the regional integration process as defined in the Regional Indicative Programme (RIP).

**Article 4**

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 by each Member State in its National Gazette within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



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**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## STRATEGY TO ACCELERATE REGIONAL INTEGRATION IN WEST AFRICA

### INTRODUCTION

1. The success of ECOWAS programmes depends on how effectively the institutions can promote socio-economic development in the sub-region. This fundamental principle highlights the need to strengthen the regional integration process through the adoption and implementation of harmonised, realistic and pragmatic sub-regional projects and programmes.

2. This memorandum seeks to define a strategy capable of accelerating regional integration in West Africa, with a view to creating a single sub-regional economic zone in the shortest possible time. It appears relevant, in this connection, to orient ECOWAS priority activities towards the creation of a single regional market built around a nucleus of liberalised trade, a common external tariff and convergent macro-economic indicators. The ECOWAS Executive Secretariat is therefore seeking the support of Member States and donors to enable it realise the objectives of this Community priority programme. In particular, the Secretariat is seeking assistance from the European Union within the framework of the Regional Integration Support Programme (RISP) of the Lome Convention's Regional Indicative Programme (RIP).

3. The Regional Indicative Programme provides for 'RISP' assistance, which consists in support towards the balance of payments and/or the budget, granted to countries seeking to implement reforms designed to strengthan the regional economic integration process, within a global and harmonised framework.

4. At the coordination meeting on regional cooperation held in Praia in December 1998, the sum of 70 million Euros was allocated to the 16 ECOWAS Member States within the framework of the RISP. Out of this amount, 14 million Euros went to countries involved in the first phase, with the remaining 56 million Euros going to the countries in phase II.

5. The primary objective of the first phase is to evaluate the likely impact of the customs union on the finances and the economic performance of each country. Work on this phase has been completed in UEMOA countries and similar studies will need to be conducted in the non-UEMOA ECOWAS countries. The Executive Secretariat is planning to carry out studies in collaboration with the European Union within the framework of the present strategy.

### 2. BACKGROUND

6. The Economic Community of West African States (ECOWAS) created in May 1975, comprises the sixteen countries of the West African sub-region *(Benin, Burkina Faso, Cape Verde, Côte d'Ivoire. Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo).* The population of ECOWAS is 210 million, spread over a surface area of 6.4 million square kilometres.

7. The GDP of the ECOWAS Member States currently totals US$ 105 billion. Nigeria contains 51% of the regional GDP, while the eight (8) UEMOA countries account for 28% and the others for 21%. Average investment rate stands at 18% of GDP while average savings rate is 16%. The resulting negative balance is covered mainly by external borrowing which, for the entire ECOWAS region, presently stands at US$72 billion. Real external debt service accounts for approximately 30% of GDP, or three times the budget allocation for education and health which record abysmally low development indices. The average school enrolment rate is 36%, while average life expectancy is 46 years for the entire sub-region.

8. In 1997, exports from ECOWAS countries amounted to US$ 5.5 billion, while imports were US$ 13 billion, yielding a positive balance of US$ 2.5 billion. The bulk of ECOWAS trade is with the European Union, representing about 40% of total trade, while intra-ECOWAS trade accounts for 11%. The overall balance of current trade transactions for the ECOWAS countries is in deficit.

9. Throughout the '80s and until the early '90s, the region was hit by an unprecedented economic crisis. Expansionist budgetary and monetary policies had resulted in a serious macro-economic imbalance. During the period, real growth in respect of regional production declined from 3.2% in 1980 to 1.9% in 1992, far behind the population growth rate of 2.9%.

10. Most ECOWAS countries then embarked upon economic reform, usually in the form of the

structural adjustment programmes (SAPs) sponsored by the Bretton Woods institutions. These programmes were based on policies which included restrictive budgetary and monetary measures, exchange rate devaluation in some cases, trade and payment liberalisation, deregulation of goods, services and inputs and privatisation of government enterprises.

11. The implementation of the SAPs spurred the West African economy to recovery, with the region recording real GDP growth rates of 3.8% in 1995; 4% in 1996 and 4.3% in 1997. Despite these positive signs however, economic reform in ECOWAS Member States is still fragile and incomplete. They continue to suffer the effects of major structural weaknesses evidenced by mono-production of agricultural raw materials and unprocessed minerals; poor basic infrastructures and inadequate manpower resources. In many of the Member States, budget deficits and inflation levels remain high; exchange rates are unstable or overvalued while protectionist measures are very high. In addition, the narrowness of the national markets and lack of headway in the integration effort have undermined the gains of SAP and the region's growth potential. As a general rule, the SAPs have been conceived as national programmes, with the regional perspective completely left out of account.

12. ECOWAS, in the hope of actualising the growth potential of the region, has undertaken measures to accelerate integration of the West African economies. The provisions relating to its institutions were amended and improved, making it possible to sign a revised Treaty which envisages the creation, ultimately, of an economic and monetary union in West Africa pursuant to the intermediary stages of a free trade zone, a customs union and a common market. The goal is to create a unified economic zone embracing all the sixteen (16) countries of the West African sub-region.

13. Among the major objectives sought are:
    - the elimination of customs duties and taxes having equivalent effect;
    - the establishment of a common external tariff;
    - the harmonisation of economic and financial policies.

14. An objective evaluation of ECOWAS actions indicates that positive results have been achieved as regards the integration of road and telecommunications infrastructures. Significant progress has also been made in the energy sector with the establishment of the West African gas pipeline project. All sixteen (16) Member States have abolished the visa requirement and allow free movement of ECOWAS citizens in their territories. Eight (8) countries have put into use the ECOWAS travel certificate which is equivalent to an ECOWAS passport.

15. Despite these achievements, intra-regional trade remains very low (about 10% of total trade). This makes it all the more imperative to achieve market integration through liberalisation of trade and establishment of a common external tariff. Market integration also demands a high level of harmonisation of economic and financial policies.

## 3. PROBLEMS TO BE RESOLVED

### *3.1 Trade liberalisation*

16. The trade liberalisation scheme adopted by the ECOWAS decision-making bodies entered into force in January 1990, but has not been effectively implemented. Consequently, the much desired free trade zone, which should have preceded the creation of a customs union, has not come into being. The underlyibg reasons can be found in the high cost of compensation demanded by the programme, and the co-existence, within the same economic area, of parallel schemes - specifically, that of the former CEAO between 1970 and 1980, and the UEMOA scheme which came into being in 1994.

17. The amounts of compensation payable for loss of customs revenue are very substantial because of the exorbitant customs duties base used to calculate tariff reduction. Despite the trade liberalisation measures applied as part of the structural adjustment package, many Member States continue to apply high protection rates. If the high cost of compensation is to be reduced, non-UEMOA Member States of ECOWAS must, like UEMOA countries, lower customs duties and de-emphasize this as a major component of tax revenue. This will place ECOWAS in a better position to enter into a customs union.

18. The UEMOA preferential regime (RPT) and the ECOWAS trade liberalisation scheme (TLS) are juxtaposed within the same economic region; the two organisations must therefore harmonise their

customs mechanisms and seek to evolve a common external tariff (CET) applicable in all West African countries.

19. The ECOWAS regional preferential arrangements and the more generalised SAP-imposed trade liberalisation must be applied in tandem, with a low external tariff. This will reduce amounts payable as compensation, minimise smuggling and boost efficiency. The impact of preferential arrangements on public finance and on the economic structure of each Member State should be quantified, to obtain a more accurate evaluation of the budgetary losses requiring compensation.

20. If no indigenous autonomous mechanism can be found to compensate loss of revenue from trade liberalisation, then donor support must be sought towards the budgets and balance of payments of ECOWAS Member States, to enable them to sustain the transitory cost of the loss incurred. In this regard, the ECOWAS preferential tariffs should be taken into account in the formulation of national economic programmes, and particularly when planning the fiscal component of structural adjustment programmes. Member States and the ECOWAS Executive Secretariat should raise these issues with the European Union and the Bretton Woods institutions during preparation of their economic reform programmes.

### *3.2 Common External Tariff*

21. The creation of an ECOWAS cuatoms union presupposes the establishment of a common external tariff designed to build a customs cordon around the entire ECOWAS region. This measure implies the elimination of all distortions relating to taxation, exchange rate, subsidies and prices which have an impact on protection levels. It is an exercise which demands substantial human and financial resources. ECOWAS needs to commence preliminary studies on the harmonisation of tariff structure without delay, since the deadline for the establishment of the ECOWAS free trade zone is set for 31st December, 1999.

22. If the ECOWAS common external tariff is to be efficient, it must be accompanied by measures to harmonise mechanisms which will include:

    i. internal indirect taxation;

    ii. customs clearance procedure;

    iii. abolition of specific obstacles to trade;

    iv. introduction of an ECOWAS investment code

23. In any event, the ECOWAS CET will have to be harmonised to the UEMOA CET. This is an issue which should be addressed during negotiations on economic reform between the Member States, the European Union and the Bretton Woods institutions.

24. Trade liberalisation must be accompanied by harmonisation of economic and financial policies, in order to ensure the best results.

### *3.3 Harmonisation of Economic and Financial Policies*

25. The creation of a West African economic and monetary union can only be achieved through the harmonisation of macroeconomic policies to accompany tariff elimination, accelerate intra-ECOWAS trade, create a single monetary zone and strengthen the national economies. The desired harmonisation will necessarily entail the establishment of macro-economic convergence criteria by all Member States, and the adoption of a multilateral surveillance mechanism.

26. It should also be noted that differences in economic and financial policies within UEMOA and non-UEMOA countries, most striking in the areas of taxation, prices and currency exchange, impede the internal adjustment of all the countries of the region, UEMOA member countries included, and translate into higher costs within these economies. ECOWAS, in seeking to reduce such costs, has identified four macro-economic convergence indicators relating to budget and prices: budget deficit/ GDP ratio, government credit to the central bank, inflation rate, and currency exchange rate. Annual evaluations have shown these indicators to be inadequate and inaccurate in relation to their assigned objective, meaning that they cannot lead to the creation of a credible economic and monetary union. They are therefore being reviewed by ECOWAS. UEMOA, however, already possesses the macro-economic convergence criteria which can effectively back its multilateral surveillance policy. It would therefore be desirable to harmonise the ECOWAS and UEMOA criteria. These mechanisms should also be adapted to national economic policy and incorporated into the on-going structural adjustment programmes.

27. With regard to its multilateral surveillance mechanism, UEMOA has set up national economic policy committees to play a monitoring role, and this measure could be replicated in all ECOWAS Member States.

28. Harmonisation of economic and financial policies might come under discussion within the framework of the economic reform policies in Member States, and each ECOWAS Member State should take account of the macro-economic convergence criteria when preparing its economic policy framework.

### *3.4 Statistical Support*

29. Harmonised, accurate and up-to-date statistics on all ECOWAS Member States are necessary for the implementation of the trade liberalisation scheme, the establishment of a common external tariff and the harmonisation of economic and financial policies. To this end, it will be necessary to create harmonised statistical tools in all the areas of interest, and set up an efficient statistical system at national and regional levels to manage and update data.

30. Within the region, both the ECOWAS Executive Secretariat and UEMOA are in the process of harmonising national accounts, with the two organisations actively seeking to reconcile their objectives in this regard. The harmonisation programme must be continued in order that all countries may, in the short term, acquire an adequate system of collating and preparing accounts, using the harmonised system of national accounts SCN 1993.

31. With respect to price indices, it would be desirable for the harmonised index in use in UEMOA countries to be extended to the other ECOWAS Member States. For external trade statistics, the work of previous projects financed by the European Union should be consolidated. Support measures should be defined to bolster efforts being made by the ECOWAS Secretariat which is presently engaged in setting up the EUROTRACE system at the regional level and refining the harmonised customs mechanisms. Work should also be started on the installation of a system for the collection and production of external trade statistics, in anticipation of a customs union. Finally, still within this specific context, there is a need to introduce a more effective procedure for assessing the volume of unrecorded trade between individual countries in order to obtain a better insight into the nature of intra-ECOWAS trade.

32. The harmonisation of the statistical tools available for integration should be extended to include the other areas mentioned earlier, with a particular focus on macro-economic concepts, especially those relating to public finance and balance of payments.

33. Assistance in the area of statistics should include forging an appropriate institutional framework to back the statistical services of the Member States and the Executive Secretariat. In addition, a data base should be established for the guidance of the decision-making organs of the Executive Secretariat,

### *3.5 Promotion of the private sector and incentives to investment capital*

34. In promoting regional integration, what is required is an open, outward-looking strategy and greater involvement of the private sector in the development process. In order to attract both local and foreign capital, adequate fiscal incentives should be put in place; and a macro-economic, institutional and regulatory framework suitably adapted for direct foreign investment (DFI) must also be established. This specifically requires the harmonisation of commercial law within the ECOWAS region, and the adoption of an ECOWAS investment code.

35. The European Union and other donors can contribute significantly to the efforts being made by the ECOWAS Member States to diversify their exports, enhance their capacities and promote investment as a means towards achieving more competitive economies.

36. West African countries, and ECOWAS as an institution, should lay special emphasis on the need to support efforts to diversify production, acquire trade information, improve the business environment, promote local enterprises and exports. Aid for infrastructural development would be a valuable asset in this connection.

## 4. OBJECTIVES OF THE STRATEGY

37. The overall objective is to strengthen and accelerate integration in West Africa by encouraging the creation and consolidation of a

unified regional market and the establishment of an ECOWAS monetary zone.

38. The specific objective is to enhance intra-regional trade and competitiveness.

## 5. EXPECTED RESULTS

39. The results expected are:
    i. establishment of a common external tariff;
    ii. establishment of a multilateral surveillance mechanism;
    iii. establishment of a harmonised and efficient statistical network at the national and regional levels;
    iv. creation of an enabling environment for greater private-sector investment and increased investment capital flow;
    v. creation of a unified economic region.

## 6. ACTIVITIES

40. The activities involved may be divided into the following areas of intervention:
    - harmonisation of ECOWAS and UEMOA customs clearance mechanisms and procedures, within the framework of a customs union;
    - evaluation of the impact of a customs union on the economies and revenue of each member country;
    - fiscal reform with a view to implementing the CET, harmonisation of the ECOWAS and UEMOA CETs;
    - adoption of ECOWAS macro-economic convergence indicators and their harmonisation with those of UEMOA;
    - harmonisation of the statistical system needed for the formulation of economic policies;
    - harmonisation of the accounting system of Member States;

## 7. IMPLEMENTATION

41. In carrying out the activities under the programme, due attention should be given to the achievements of ECOWAS and UEMOA and appropriate measures taken to harmonise the programmes of the two institutions.

42. The success of the implementation strategy will depend mainly on the extent to which Member States honour their commitment to implement decisions adopted at the highest level. Hence the need to set up credible and efficient monitoring bodies with powers to enforce compliance with decisions taken of a common accord. In this regard, ECOWAS proposes to put into effect the decisions relating to the creation of an ECOWAS Court of Justice and the Community Parliament in order to speed up the implementation of its decisions.

43. Regional development and integration can only be achieved in a climate of peace and security. In recent years, the West African region has been shaken by violent crisis which has affected the stability of the Member States. As a measure to strengthen regional peace and security, the Executive Secretariat initiated the establishment of a regional mechanism for conflict prevention, management and resolution, and peace-keeping and security in the West African region. A framework document has been adopted to this effect. Furthermore, the ECOWAS Authority of Heads of State and Government has declared a moratorium on the importation, exportation and manufacture of light weapons.

44. The Secretariat has undertaken a study on the reorganisation of its structure in order to better serve the purpose of implementing the strategy for accelerating economic integration in West Africa. It will continue with efforts, in conjunction with UEMOA, to rationalise the programmes of the two institutions.

45. The Secretariat will seek donor assistance, particularly from the European Union, towards the implementation of the above strategy. It would also welcome the support of Member States in mobilising funds for implementing this strategy.

## DECISION A/DEC.3/12/99 ALLOCATING THE POST OF DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION TO THE REPUBLIC OF THE GAMBIA

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

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

MINDFUL of the Protocol dated 9th July, 1987 establishing the West African Health Organisation (WAHO);

MINDFUL of Article IX of the said Protocol relating to the post of Director-General of WAHO;

MINDFUL of paragraph 4(a), Article 18 of the Revised Treaty relating to the appointments of statutory appointees to the Institutions of the Community;

ON THE RECOMMENDATION of the Forty-fourth Session of the Council of Ministers held in Abuja from 18th to 20th August 1999.

**DECIDES**

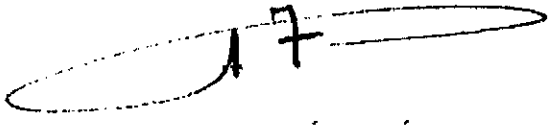
**Article 1**

The post of Director-General of the West African Health Organisation is hereby allocated to the Republic of The Gambia for a period of four (4) years with effect from the date the Gambian candidate assumes duty.

**Article 2**

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 by each Member State in its National Gazette within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999.**



**H.E. GNASSINGBÉ EYADÉMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY.**

## DECISION A/DEC.4/12/99 RELATING TO TRANSFORMATION OF THE ECOWAS FUND INTO A REGIONAL HOLDING COMPANY

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

MINDFUL of Articles 7, 8 and 9 of the Revised Treaty of the Economic Community of West African States (ECOWAS) defining its establishment, composition and functions;

MINDFUL of Article 21 of the Revised Treaty establishing the Fund for Cooperation, Compensation and Development of the Community (ECOWAS Fund);

MINDFUL of the purpose of the ECOWAS Fund as set out in Article 2 of the Protocol relating to the ECOWAS Fund;

RECALLING that in the Final Communique of the Authority of Heads of State and Government held in Abuja from 7th to 9th July, 1987, the Management of the ECOWAS Fund was directed to study the possibility of restructuring the ECOWAS Fund and opening up its equity capital to the participation of institutions and non member States of ECOWAS;

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;

CONSCIOUS of the important role ECOWAS Fund plays in the mobilisation of the necessary resources for the execution of Community projects;

CONSCIOUS of the demands on the resources of the ECOWAS Fund;

NOTING that there are considerable reserves of surplus funds outside the ECOWAS Sub-region;

CONSIDERING a study on the transformation of the ECOWAS Fund adopted by Regulation C/REG.1/8/97;

ON THE RECOMMENDATION of the 44th session of the Council of Ministers held in Abuja from 18th to 20th August, 1999

**DECIDES**

**Article 1**

The ECOWAS Fund is hereby transformed into a regional Holding Company called ECOWAS Bank for

Investment and Development (EBID). It shall have two subsidiaries, namely, ECOWAS Regional Investment Bank (ERIB) and ECOWAS Regional Development Fund (ERDF).

**Article 2**

1. The Status, objectives and functions of the holding company and its subsidiaries shall be defined in a Protocol,

2. Pending the entry into force of the Protocol, the establishment of the holding Company and its subsidiaries shall take effect in accordance with Article 9 of the Revised Treaty.

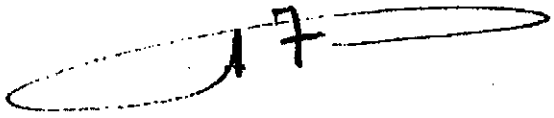
**Article 3**

The Ad-hoc Ministerial Committee, the Board of Directors and Management of ECOWAS Fund shall take all necessary measures to implement this decision.

**Article 4**

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 LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**



**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## DECISION A/DEC.5/12/99 RELATING TO THE ESTABLISHMENT OF THE WEST AFRICAN POWER POOL

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

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

MINDFUL of Article 26 of the Revised Treaty;

MINDFUL of Decision A./DEC.3/5/82 dated 29th May, 1982 adopting the ECOWAS energy policy;

CONSIDERING that the energy sector in West Africa is one of the least developed in the world, despite the abundant energy potential in the sub-region;

NOTING the unequal distribution of the energy potential between the various Member States;

CONCERNED about continuing energy crisis in the sub-region;

DESIRING to develop jointly the energy resources of Member States in order to enable them satisfy their development needs;

On the RECOMMENDATION of the forty-fifth session of the Council of Ministers held in Lome from 5th to 7th December, 1999;

**DECIDES**

**Article 1**

There is hereby established a West African Power Pool system.

**Article 2**

The West African Power Pool shall be by a coordination body composed of the meeting of the Ministers in charge of Energy and the Committee of Directors-General of electricity companies in Member States.

**Article 3**

The coordination body referred to in Article 2 above shall:

i) prepare and establish an appropriate framework for the development of the West African Power Pool;

ii) formulate recommendations on the financing and execution of projects selected within the framework of the West African Power Pool;

iii) prepare a detailed financing plan and an implementation schedule for the master plan on the development of energy production facilities and the interconnection of electricity grids; and define to that end, the important phases and the modalities for the coordination of the different segments of the West African Power Pool;

iv) prepare a donors' meeting in collaboration with financial institutions.

**Article 4**

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

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**

**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## DECISION A/DEC.6/12/99 APPOINTING THE FIRM "COOPERS LYBRAND AND DIEYE" AS EXTERNAL AUDITORS OF THE COMMUNITY INSTITUTIONS

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

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

MINDFUL of Article 75 of the Revised Treaty relating to the appointment of the External Auditors of the Institutions of the Community;

MINDFUL of Decision A/DEC.3/7/91 of the Authority of Heads of State and Government relating to the selection and evaluation of Statutory Appointees of the Community Institutions;

ON RECOMMENDATION of the forty-fifth session of the Council of Ministers held in Lome from 5th to 7th December, 1999.

**DECIDES**

**Article 1**

The firm "Coopers Lybrand and Dieye" is hereby appointed as external auditors for the Institutions of the Community for a two (2) year-term. However, the Executive Secretariat shall negotiate with the firm to obtain its agreement to provide services for a fee not exceeding the amount voted by Council. Where no agreement is reached, the Executive Secretary shall negotiate with KPMG - Lagos and make the necessary appointment.

**Article 2**

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 in the National Gazette of each Member State within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999.**

**H.E. GNASSINGBÉ EYADÉMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY.**

## DECISION A/DEC.7/12/99 RELATING TO THE ADOPTION OF MACRO-ECONOMIC CONVERGENCE CRITERIA WITHIN THE FRAMEWORK OF THE ECOWAS MONETARY COOPERATION PROGRAMME

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

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

MINDFUL of Decision A/DEC.2/7/87 of the Authority relating to the adoption of a monetary cooperation Programme;

AWARE that the final objective to be achieved is the creation of a West African economic and monetary union;

RESOLVED to strive towards this objective by speeding the regional integration process through the harmonisation of the economic and financial policies of the Member States;

RECOGNISING the need to adopt and apply macro-economic convergence criteria in order to achieve the harmonisation of economic and financial policies;

CONVINCED that the application of macro-economic convergence criteria will facilitate the convertibility of national currencies and the creation of a single ECOWAS monetary zone;

HAVING NOTED that the macro-economic convergence criteria adopted in 1996 do not adequately meet the needs of a credible economic and monetary union;

MINDFUL of the need to set up a multilateral surveillance mechanism to ensure compliance with the economic convergence criteria within the framework of a regional growth and convergence pact;

On the RECOMMENDATION of the Forty-fifth Session of the Council of Ministers held in Lomé from 5th to 7th December, 1999.

**DECIDES**

**Article 1**

The following macro-economic convergence criteria are hereby adopted:

***1. Primary criteria:***

Member States shall be legally bound to comply with the four operational criteria enumerated hereafter:

i) ratio of budget deficit (excluding grants) to GDP (commitment basis): lower or equal to 4% by the year 2002.

ii) inflation rate: 5% by 2003

iii) ceiling on central bank financing of budget deficit: 10% of previous year's tax revenue; Member States to comply by 2003.

iv) gross reserves: should not be less than six (6) months of imports by 2003.

***2. Secondary criteria:***

Member States should also adhere to the six (6) secondary criteria which are designed to sustain the primary criteria and facilitate achievement of the convergence target. They are listed as follows:

i. arrears: prohibition of new internal and liquidating of all existing arrears;

ii. tax revenue/GDP ratio: equal to or more than 20%;

iii. Salary mass/tax revenue: equal to or less than 35%;

iv. capital expenditure/tax revenue ratio: equal to or more than 20%;

v. real exchange rate stability: to be maintained by each country.

vi. Interest rates: countries must show positive real interest rates

**Article 2**

Each Member State shall take due account of the need to reflect macro-economic convergence criteria during the elaboration of its economic reform programme and to include them in their discussions with the international finance institutions.

**Article 3**

The ECOWAS Single Monetary Zone shall be launched on 1st January, 2004 following the implementation of the convergence process to be undertaken during the period 1999 to 2003. To this end, Member States shall formulate pluri-annual convergence programmes and submit performance reports every six months. Defaulting Member States shall be liable to sanctions.

**Article 4**

There is hereby established a multilateral surveillance mechanism for the harmonisation of macroeconomic policies which shall comprise the following organs:

1. **The Convergence Council** which is composed of Ministers of Finance and Governors of Central Banks of Member countries, shall monitor macroeconomic policies and performance;

2. **The Technical Monitoring Committee** comprises the Directors of Research of the Central Banks and Senior Ministry of Finance officials. The major responsibility of the Committee shall be the preparation of six-monthly reports on multilateral surveillanoe for submissten to the Convergence Council;

3. **The West African Monetary Agency (WAMA)** and the ECOWAS Executive Secretariat will ensure the compatibility of all the multinational convergence programmes formulated by Member States;

4. **The National Coordinating Committees** shall support WAMA in the collection and processing of data provided by Member States.

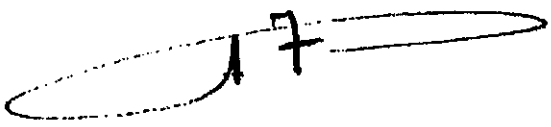
**Article 5**

International finance institutions, the European Union and all development partners are hereby urged to provide the necessary assistance to ECOWAS to achieve the macroeconomic convergence objectives.

**Article 6**

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within 30 days of signature by the Chairman of the Authority of Heads of State and Government. It shall also be published in the National Gazette of each Member State within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999.**



**HIS EXCELLENCY, GNASSINGBE EYADEMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY.**

## DECISION A/DEC.8/12/99 RELATING TO THE STRENGTHENING OF THE PARTNERSHIP TIES BETWEEN ECOWAS AND THE EUROPEAN UNION

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

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

RECALLING that the European Union is the leading trading partner of ECOWAS and the major source of development assistance for ECOWAS Member States;

CONSIDERING the cooperation ties existing between ECOWAS and the European Union particularly within the framework of the European Union's programme of assistance to regional integration initiatives;

CONVINCED that a strong partnership will provide ECOWAS with an effective support framework for its development strategies and an opportunity to benefit from the European Union's expertise and wide experience in matters relating to regional integration;

ACKNOWLEDGING the need to give fresh impetus to the ECOWAS/European Union partnership and, to this end, to formalise the existing ties between ECOWAS and the European Union;

DESIRING more frequent consultations to review the cooperation between the two organisations and thus provide a forum for developing and implementing actions to enhance West African integration;

ON THE RECOMMENDATION of the forty-fifth session of the Council of Ministers held in Lome from 5th to 7th December, 1999;

**DECIDES**

**Article 1**

ECOWAS shall be the regional framework for the coordination of the relationship between West African States and the European Union.

**Article 2**

a. ECOWAS shall take measures to strengthen its cooperation ties with the European Union through a partnership based on more political and economic dialogue at every level within the two

organisations, including that of experts, Ministers, parliamentarians, and between the current Chair of the two Organisations.

b. The dialogue referred to above shall take place on a regular basis between ECOWAS and the European Union, in the form of half-yearly meetings.

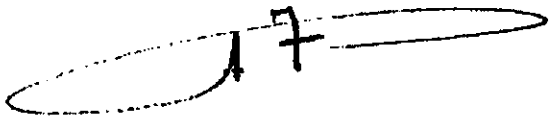
**Article 3**

The Meetings shall be held by rotation in a member country of the two institutions.

**Article 4**

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 by each Member State in its National Gazette within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## DECISION A/DEC.9/12/99 ESTABLISHING AN INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA

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

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

CONCERNED by the growing use of the economic and financial systems of the Member States by criminal organisations for the purpose of laundering the proceeds of criminal activity;

CONSCIOUS of the impact on the social and economic development of the Member States of the infiltration of their economic and financial systems by criminal organisations;

ANXIOUS to maintain the harmonious economic development of the Member States and attract legitimate international investment capital;

DETERMINED to apply the Policy Declaration and Plan of Action against Money Laundering adopted at the extraordinary session of the United Nations General Assembly devoted to the control of the global drug problem which was held in New York on 10th June, 1998;

TAKING NOTE of the 40 recommendations adopted by the Financial Action Group to combat capital laundering set up by the Heads of State of the seven most industrialised countries and the President of the European Commission.

CONSIDERING the need to establish in each Member State effective mechanisms and structures for the detection, pursuit, freezing, seizure and confiscation of the proceeds of criminal activity;

CONSIDERING that only concerted and harmonised action on the part of the Member States will enable these objectives to be attained;

DESIROUS of establishing within ECOWAS, a structure to promote the application of the instruments and standards by Member States, monitor their implementation status, evaluate the effectiveness of the measures adopted at the sub-regional and national levels and adopt operational guidelines for the said structure.

ON THE RECOMMENDATION of the Forty-fifth session of the Council of Ministers held in Lome from 5th to 7th December, 1999;

**DECIDES:**

**Article 1**

There is hereby created the Inter-governmental Action Group against Money Laundering in West Africa.

**Article 2**

The Inter-governmental Action Group against Money Laundering in West Africa shall comprise the Ministries of Finances, Ministers of Internal Affairs and Security, the Ministers of Justice of each Member State end the Executive Secretariat.

**Article 3**

The actions of the Inter-governmental Action Group against Money Laundering in West Africa shall seek:

i) to combat the laundering of the proceeds of criminal activity;

ii) to ensure the harmonised and concerted introduction of appropriate measures to combat money laundering;

iii) to evaluate progress and the effectiveness of the measures adopted;

iv) to encourage other African States to join the Group.

**Article 4**

The Inter-governmental Action Group against Money Laundering in West Africa shall be endowed with a secretariat which shall carry out the implementation of the provisions of Article 2 of this Decision in collaboration with the ECOWAS Secretariat.

**Article 5**

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

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**

**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## DECISION A/DEC.11/12/99 RELATING TO THE AWARD OF THE ECOWAS PRIZE FOR EXCELLENCE IN LITERATURE

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

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

MINDFUL of Decision A/DEC.14/5/82 relating to the establishment of the ECOWAS Prize of Excellence;

MINDFUL of Decision A/DEC.2/7/92 relating to the approval of the rules and regulations of the Prize of Excellence;

MINDFUL of Decision C/DEC.5/8/99 designating members of the Jury of the Prize of Excellence for Literature;

ON THE PROPOSAL of the International Jury of the Prize for Excellence;

CONSIDERING Recommendation C/REC.6/12/99 of the forty-fifth session of the Council of Ministers held in Lomé from 5th to 7th December, 1999 ;

**DECIDES**

**Article 1**

The ECOWAS Prize for Excellence in literature is awarded to the two winners whose names are given below:

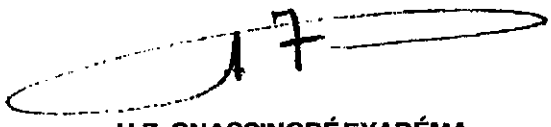
(i) Mr. Thierry Akpo, Strategy and Communication Adviser, for his novel "La ligne Continue".

(ii) Mr. Mohammed Sherif, Teacher, for his novel, "Secret Fear".

**Article 2**

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 in the National Gazette of each Member State within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY.**

## DECISION A/DEC.12/12/99 RELATING TO THE DESIGNATION OF MEMBER STATES TO THE MEDIATION AND SECURITY COUNCIL

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

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

MINDFUL of Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security;

CONSIDERING that Protocol A/P1/12/99 referred to above establishes a Mediation and Security Council whose function is to take emergency decisions on critical issues of peace and security on behalf of the Authority of Heads of State and Government;

AWARE that two of the nine Member States comprising the Mediation and Security Council, namely the current Chairman and the Immediate Past Chairman of the Authority, shall have an automatic right of membership of the Mediation and Security Council;

AWARE ALSO that the other seven (7) members of the Mediation and Security Council shall be elected by the Authority and shall serve for a two-year renewable term;

DESIRING to render the Mediation and Security Council operational in a timely manner and empower it to discharge its functions with regard to peace and security in the sub-region by designating the Member States of which it shall be composed;

ON THE RECOMMENDATION of the meeting of Ministers of Foreign Affairs held in Lomé on 6th and 7th December, 1999;

**DECIDES**

**Article 1**

1. The Mediation and Security Council shall be composed of nine (9) Member States which are the current Chairman of the Authority, the immediate past Chair of the Authority, both of whom have an automatic right to membership, and seven (7) other elected members.

2. Without prejudice to the provisions of Article 8 of the Protocol relating to the Mechanism for

Conflict Prevention, Management, Resolution, Peacekeeping and Security and Article 1 above on the composition of the Mediation and Security Council, it shall for the limited period of two (2) years, comprise the following ten (10) Members States:

i. Republic of Mali - Chairman *(Current Chairman of Authority);*

ii. Togolese Republic - Member *(Immediate Past Chairman of the Authority);*

iii. Republic of Benin - Member

iv. Republic of Cote d'Ivoire - Member

v. Republic of The Gambia - Member

vi. Republic of Ghana - Member

vii. Republic of Guinea - Member

viii. Republic of Liberia - Member

ix. Federal Republic of Nigeria - Member

x. Republic of Senegal - Member

**Article 2**

At the end of the first two (2) year term, the composition of the Mediation and Security Council shall be nine (9) Member States.

**Article 3**

The elected members of the Mediation and Security Council shall serve for a two-year renewable term.

**Article 4**

(i) Deliberations of the Mediation and Security Council shall be held at 3 levels: Heads of State and Government, Ministerial and Ambassadorial levels.

(ii) All meetings of the Mediation and Security Council shall be presided over by the Member State elected as the current Chairman of the Authority.

**Article 5**

The Mediation and Security Council shall meet in ordinary sessions. However, the current Chairman may, when the occasion so demands, or by a simple majority vote of its members, convene extraordinary sessions of the Council.

**Article 6**

1. The Mediation and Security Council shall be properly constituted when at least two-thirds of its members are present.

2. Decisions of the Mediation and Security Council shall be taken by a two-thirds majority vote of members present.

**Article 7**

The Mediation and Security Council shall take decisions on issues of peace and security in the sub-region on behalf of the Authority. It shall also implement all the provisions of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security. The Mediation and Security Council shall, in this regard:

(a) decide on all matters relating to peace and security;

(b) decide and implement all policies on conflict prevention, management and resolution, peace-keeping and security;

(c) authorise all forms of intervention and decide particularly on the deployment of political and military missions;

(d) approve mandates and terms of reference for such missions;

(e) review the mandates and terms of reference periodically, on the basis of evolving situations;

(f) on the recommendation of the Executive Secretary, appoint the Special Representative of the Executive Secretary and the Force Commander.

**Article 8**

1. The Heads of State and Government of the Mediation and Security Council shall take final decisions on all issues under their authority and within their competence, including field missions, for which they shall approve the terms of reference.

2. The Ministers of Foreign Affairs, Defence, Internal Affairs and Security of the Mediation and Security Council shall meet to review the general political and security situation in the sub-region and shall make appropriate recommendations in this regard to the Heads of State and Government.

3. The Ambassadors of Member States of the Mediation and Security Council shall meet to review issues relating to sub-regional peace and security. All reports and recommendations of meetings of the Ambassadors shall be forwarded by the Executive Secretary to all Member States of the Mediation and Security Council and to the Member States concerned. The reports shall also be submitted for consideration by the meeting of Ministers of the Mediation and Security Council.

**Article 9**

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 in the National Gazette of each Member State within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**

**H.E. GNASSINGBÉ EYADÉMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY/**

## DECISION A/DEC.13/12/99 ESTABLISHING NATIONAL COMMISSIONS FOR THE CONTROL OF THE PROLIFERATION AND ILLICIT CIRCULATION OF LIGHT WEAPONS

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

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

MINDFUL of the Declaration of a moratorium on the importation, exportation and manufacture of light weapons, dated 31st October, 1998;

TAKING INTO ACCOUNT Decision AHG/DEC.137 (XXXV) on the proliferation and illicit circulation of light weapons, adopted by the thirty-fifth ordinary session of the OAU Authority of Heads of State and Government held in Algiers, Algeria, in July 1999;

NOTING that any measures taken towards the effective and efficient application of the moratorium on the importation, exportation and manufacture of light weapons can be effectively applied, monitored and evaluated only with the genuine involvement of Member States;

CONVINCED that the establishment of an appropriate institutional framework in Member States will encourage their further involvement in the application of the moratorium;

DESIRING, in consequence, to establish a Commission in each Member State to control the proliferation and illicit circulation of light weapons;

ON THE RECOMMENDATION of the meeting of Ministers of Foreign Affairs held in Lomé from on the 6th and 7th December, 1999.

**DECIDES**

**Article 1**

There is hereby established in each Member State a national commission for the control of the proliferation and illicit circulation of light weapons.

**Article 2**

The national commissions shall be composed of representatives of the Ministries of Defence, Internal

Affairs and Security, Justice, and Foreign Affairs, and the civil society.

**Article 3**

1. The national commissions for the control of the proliferation and illicit circulation of light weapons shall assist the relevant government authorities in the design, elaboration and implementation of national policies on the control of the proliferation and illicit circulation of light weapons.

2. Their functions shall be:

   a. to evolve effective strategies aimed at controlling the proliferation of light weapons and their illicit circulation;

   b. to undertake studies, in collaboration with the appropriate technical departments, and participate in efforts to find ways to successfully control the proliferation and illicit circulation of light weapons;

   c. provide advisory opinion and make suggestions or proposals to the appropriate government authorities;

   d. support and coordinate the activities of the various government agencies involved in the effort to control light weapons proliferation;

   e. initiate and promote measures to educate the populace and increase their awareness of the dangers attendant on the proliferation and illicit circulation of light weapons;

   f. collate information on the importation, exportation and manufacture of light weapons, and transmit such data to the ECOWAS Executive Secretary through the headquarters of the zonal observation bureaux;

   g. process requests for exemptions received from individuals wishing to purchase arms listed in Category 1, 2 and 3A in the technical specifications of light weapons and munitions covered by the moratorium, and make recommendations to the Executive Secretary through the headquarters of the relevant zonal bureau;

   h. mobilise resources from bilateral and multilateral institutions for the running of the national commissions, without prejudice to any material or financial resources that each Member State may provide for the same purpose;

   i. initiate and develop exchange of Information and experience with the other national commissions;

   j. maintain technical cooperation ties with relevant institutions and organisations;

   k. assist in the implementation of decisions relating to the control of the proliferation and illicit circulation of light weapons.

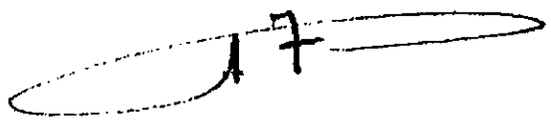
**Article 4**

Each Member State shall establish the rules of operation of its national commission established pursuant to this Decision.

**Article 5**

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

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**



**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## DECISION A/DEC.14/12/99 ALLOCATING THE POST OF DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION TO THE REPUBLIC OF MALI

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

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

MINDFUL of the Protocol establishing the West African Health Organisation (WAHO);

MINDFUL of Article IX of the said Protocol relating to the post of Deputy Director-General of West African Health Organisation;

MINDFUL of paragraph 4 (a), Article 18 of the Revised Treaty relating to the appointment of statutory appointees to the Institutions of the Community;

ON THE RECOMMENDATION of the forty-fifth session of the Council of Ministers held in Lomé, from 5th to 7th December, 1999;

**DECIDES**

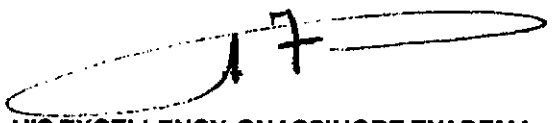
**Article 1**

The post of Deputy Director-General of the West African Health Organisation (WAHO) is hereby allocated to the Republic of Mali for a period of four (4) years.

**Article 2**

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 within the same time frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**



**HIS EXCELLENCY, GNASSINGBE EYADEMA,**
**CHAIRMAN,**
**FOR THE AUTHORITY.**

## DECISION A/DEC.15/12/88 RELATING TO THE LIFTING OF SANCTIONS UNDER DECISION A/DEC 5/7/95 ON CERTAIN MEMBER STATES

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

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

MINDFUL of Decision A/DEC.5/7/95 relating to measures applicable to Member States in arrears of various financial contributions to the Community Institutions;

CONSIDERING that the application of sanctions against Member States in arrears of financial contributions might penalise some Member States that have made efforts to pay up their arrears;

CONSIDERING that non-payment of contributions impede the smooth running of Community activities;

DESIRING to encourage Member States to make every effort to pay up their arrears, ratify and implement the Protocol on conditions governing applications of the Community Levy;

DESIRING also to adopt some measure of flexibility in the application of sanctions under certain conditions;

On the RECOMMENDATION of the Forty-fifth Session of the Council of Ministers held in Lomé from 5th to 7th December, 1999.

**DECIDES**

**Article 1**

1. The application of the Decision A/DEC.5/7/95 shall be suspended for Member States which are to date in their contributions to the 1999 budget of Community Institutions or have ratified and are implementing the Protocol relating to the Community Levy.

2. The Forty-sixth Session of the Council of Ministers shall make recommendations on the appropriate time to abrogate the provisions of paragraph 1 above.

**Article 2**

This Decision shall be published by the Executive

Secretariat in the Official Journal of the Community within 30 days of its signature by the Chairman of the Authority of Heads of State and Government. It shall also be published in the National Gazette of each Member State within the same time-frame.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**

**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## DECISION A/DEC.16/12/99 APPROVING THE ALLOCATION OF A GRANT TO THE CONFERENCE OF MINISTERS OF YOUTH AND SPORTS OF MEMBER STATES OF THE COMMUNITY

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

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

MINDFUL of Decision A/DEC.9/5/82 mandating the ECOWAS Executive Secretariat to give its support to the Conference of Ministers of Youth and Sports of Member States of the Community;

MINDFUL of Decision A/DEC.5/5/83 relating to the support to be given by ECOWAS Member States to the Conference of Ministers of Youth and Sports of the Community;

MINDFUL of the provisions of Articles 61 and 62 of the Revised Treaty by which the Member States undertake to promote the organisations of women and youth for the purpose of ensuring their involvement in the integration process and in ECOWAS activities;

REAFFIRMING the need to involve our youth in the integration process and in the social development of our Member States;

DESIRING TO ALLEVIATE the difficulties being encountered by the General Secretariat of the Conference of Ministers of Youth and Sports of Member States of the Community based in Ouagadougou, Burkina Faso.

**DECIDES**

**Article 1**

1. There is hereby allocated to the Conference of Ministers of Youth and Sports of Member States of the Community a grant of fifteen thousand units of account.

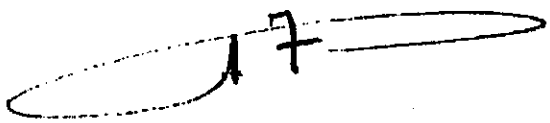
2. There is further granted hereby, a monthly allowance to the Conference of Ministers of Youth and Sports of Member States of the Community staff as specified hereunder:

   - The Secretary-General $1,000;
   - The Deputy Secretary-General $750.

**Article 2**

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

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**



**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## RESOLUTION A/RES.1/8/99 RELATING TO THE SUB-REGIONAL ACTION PROGRAMME TO COMBAT DESERTIFICATION IN WEST AFRICA

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

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

MINDFUL of the United Nations Convention adopted on 17 June 1994, to combat desertification in countries seriously affected by drought and/or desertification, particularly in Africa;

MINDFUL of the conclusions of the meeting of experts from ECOWAS and CILSS Member States, to consider the sub-regional action programme to combat desertification, which took place in Lomé from 20th to 22nd May, 1999;

DEEPLY CONCERNED by the grave socio-economic and ecological effects of drought and desertification for the sub-region;

CONVINCED of the pressing need to strengthen sub-regional cooperation in matters relating to the control of desertification and mitigation of the effects of drought, with a view to contributing to the sustained development of the ECOWAS Member States;

REAFFIRMING the unwavering commitment of the countries of the sub-region to deploy all necessary means to combat desertification;

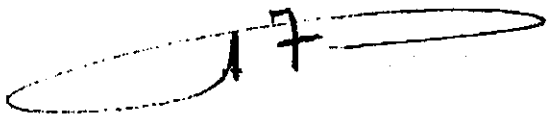
ON THE RECOMMENDATION of the Forty-fourth Session of the Council of Ministers held in Abuja from 18th to 20th August, 1999.

**HEREBY APPEALS**:

To the International Community and requests that, in accordance with the relevant provisions of the Convention to combat desertification, effective support should be given to the ECOWAS Member States by facilitating their access to resources, and the appropriate technology, knowledge and skills necessary for the prompt and effective implementation of the sub-regional action programme to combat desertification.

**DONE AT LOME,**

**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## RESOLUTION A/RES.2/12/99 FOR ASSISTANCE FOR THE REPUBLIC OF NIGER

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

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

MINDFUL of the ECOWAS Declaration of Political Principles adopted in Abuja on 6th July, 1991;

NOTING that the Republic of Niger has undergone several years of severe institutional crisis, resulting in extreme political instability and seriously affecting its economic and social development;

OBSERVING that the violent overthrow of President Ibrahim Maïnassara Bare elicited justifiable concern and the strong condemnation of ECOWAS, the OAU and the international community;

FURTHER OBSERVING that many of the partners of the Republic of Niger have expressed their indignation at the event of 9th April, 1999 by suspending co-operation ties with the country;

CONCERNED by the impact of the continuing institutional crisis on the lives of the civil population;

SATISFIED that the presidential and legislative

elections were organised within the time frame set by the Niger authorities;

COMMENDING the people of Niger for demonstrating political maturity during the elections of 17th October and 24th November, 1999, and for the peaceful manner in which the above-mentioned, elections were held;

COMMENDING ALSO the candidates and their political administrative staff for having managed their victory with humility, or accepted with courage, the results published by the National Independent Electoral Commission (CENI);

CONVINCED that the just-ended elections will create a democratic environment conducive to the release of energies and to the economic and social development of Niger;

DESIROUS of encouraging any support measures for government and private sector initiatives aimed at revitalising the Niger economy and improving the living conditions of the Niger people;

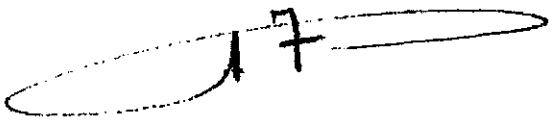
**CONGRATULATE** His Excellency Mamadou Tandja on his election to the highest office in the land;

**EXPRESS** its gratitude to the Governments of all friendly countries, and international and non-governmental organisations for assistance to the organisation of the presidential and legislative elections held in Niger on 17th October and 24th November, 1999;

**ON RECOMMENDATION** of the Meeting of Ministers of Foreign Affairs held in Lomé on 6th and 7th December 1999;

**LAUNCH AN APPEAL** to the international community requesting assistance to the Republic of Niger for its effective economic take-off.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## RESOLUTION A/RES.3/8/99 ON GUINEA BISSAU

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

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

RECALLING the Resolution of the Organisation of African Unity (OAU) adopted in Algers in July 1999;

BEARING IN MIND the outcome of the consultations held with the European Union in July 1999;

CONSIDERING that the international community concluded that the presidential elections organised in Guinea Bissau on 28th November, were free, fair and transparent;

**EXPRESS SATISFACTION** at the maturity and responsibility displayed by the people of Guinea Bissau;

**ENCOURAGES** the pursuit of the on-going constitutional reform process in Guinea Bissau;

**APPEALS** to the international community to provide the new government of Guinea Bissau, the material, technical and financial resources it needs to face the challenges of national reconciliation and to reconstruct the country and rehabilitate its institutions.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**

**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## RESOLUTION A/RES.4/8/99 FOR RENEWAL OF CO-OPERATION TIES BY TOGO'S PARTNERS

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

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

MINDFUL of the ECOWAS Declaration of Political Principles adopted at Abuja on 6th July, 1991;

CONSIDERING the sanctions imposed on the Togolese Republic by its partners, especially the European Union;

NOTING the serious impact of the sanctions on the Togolese economy on account of their duration;

DEPLORING the negative impacts of the sanctions on the economic and social activities of Togo particularly the increasing level of poverty in that country;

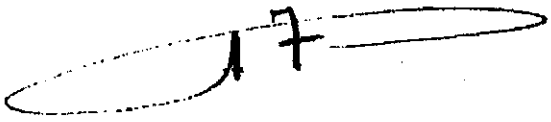
CONVINCED of the need to encourage and assist the initiatives of the Togolese Republic in the area of Democracy and Human Rights;

CONVINCED also that immediate lifting of the sanction against the Togolese Republic can serve the cause of democracy, human rights and social justice, rekindle economic growth in the country, and boost its capacity for sustainable development;

ON THE RECOMMENDATION of the forty-fifth session of the Council of Ministers held in Lomé from 5th to 7th December, 1999;

**APPEALS** to all partners of the Togolese Republic and especially to the European Union, to lift the sanctions against the Togolese Republic and to renew or foster their co-operation ties in all sectors with the country.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999**



**HIS EXCELLENCY, GNASSINGBE EYADEMA**
**CHAIRMAN,**
**FOR THE AUTHORITY**

## RECOMMENDATION A/REC.1/12/99 IN SUPPORT OF THE CHOICE OF MALI AS THE VENUE FOR THE OAU MINISTERIAL MEETING ON LIGHT WEAPONS

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

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

MINDFUL of the Declaration by ECOWAS of a Moratorium on the Importation, Exportation and Manufacture of Light Weapons adopted in Abuja on 31st October, 1998;

RECALLING Decision AHG/DEC.137 (LXX) of the 35th ordinary OAU Summit held in Algiers from 12th to 14th July, 1999 by which the Secretary General of the OAU was directed to organise a ministerial conference on the proliferation of light weapons in preparation for the international conference scheduled for the year 2001;

FURTHER RECALLING that the OAU Summit referred to above recommended the pursuit of a common African approach to the problem of the proliferation of light weapons during the said preparatory ministerial conference;

RECALLING that the ECOWAS Moratorium on the Importation, Exportation and Manufacture of Light Weapons was the initiative of the Republic of Mali, and recognising the importance of its role in the implementation of the said Moratorium;

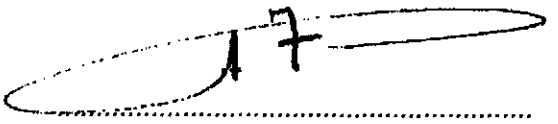
CONVINCED that the experience of Mali in the combat against the proliferation and trafficking of weapons will contribute to the success of the OAU ministerial conference in the year 2000;

ON THE PROPOSAL of the Meeting of Ministers of Foreign Affairs held in Lomé on 6th and 7th December, 1999;

**HEREBY** supports the choice of Mali as the venue for the OAU Ministerial Conference on Light Weapons scheduled for the year 2000;

**REQUESTS** the Member States of the Organisation of African Unity (OAU) and its Secretary General to accord to Mali the same support to ensure the success of the Conference.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER 1999**



**H.E. GNASSINGBÉ EYADÉMA**
**CHAIRMAN**
**FOR THE AUTHORITY**

## REGULATION C/REG.1/12/99 RELATING TO THE ENHANCEMENT OF THE SPECIAL FUND FOR TELECOMMUNICATIONS

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision A/DEC.21/5/80 of the Authority of Heads of State and Government establishing the Special Fund for Telecommunications;

RECOGNISING that the Special Fund for Telecommunications was established to accelerate the development of telecommunications infrastructures in the sub-region, as well as to ensure their maintenance;

DESIRING to ensure that the Special Fund for Telecommunications is fully utilised and that it fulfils its assigned roles;

ON THE RECOMMENDATION of the third Meeting of ECOWAS Ministers in charge of Telecommunications held in Bamako on 10th September, 1999.

**ENACTS**

**Article 1**

1. The Special Fund for Telecommunications as well as its operational mechanisms shall be restructured to enable it effectively perform its responsibility as a catalyst for the modernisation and overall development of telecommunications within the sub-region.

2. In this regard ECOWAS Institutions and Member States shall strengthen it by redefining its role, its objectives and administration as well as ensure the inflow of necessary financial resources.

**Article 2**

Each Member State shall establish a telecommunications fund within its domain.

**Article 3**

1. Member States shall adopt sub-regional perspectives in their activities within the legal and regulatory aspects of the telecommunications sector.

2. ECOWAS shall harmonise all legal and regulatory telecommunications frameworks of Member States.

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

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## REGULATION C/REG.2/12/99 ON THE IMPROVEMENT OF TELECOMMUNICATIONS CONNECTIVITY IN ECOWAS MEMBER STATES

**THE COUNCIL OF MINISTERS,**

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

RECOGNISING that direct interconnection between ECOWAS States using modern telecommunications systems is a prerequisite for sub-regional economic integration;

CONSIDERING that only thirty-two percent of traffic

within the ECOWAS zone is by direct connectivity and that this situation is due in part to the poor quality of connections and inappropriate transit charges;

NOTING that twelve of the sixteen Member States are connected to INTELSTAT 355.E, of which ten are already equipped with DAMA satellite system;

NOTING ALSO that establishing an overall DAMA network for ECOWAS Member States and bringing in new digital technology will improve the flow of traffic by providing new direct links at competitive rates.

**ENACTS**

**Article 1**

1. Member States and telecommunications operators shall take all necessary measures to ensure efficient functioning of existing links;

2. To this end, Member States shall:

   (a) make every necessary provision to ensure direct connectivity between their countries on the DAMA network as an initial step, whilst exploring other possibilities from existing technologies;

   (b) seek all teonnical arld technoldgical means and seek the funding required to improve connectivity between Member States.

**Article 2**

The necessary coordination shall be established between the Executive Secretariat and the different regional and sub-regional telecommunications organisations in order to optimise the investment resources available, and ensure better planning of the National Networks.

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

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## REGULATION C/REG.3/12/99 RELATING TO THE IMPLEMENTATION OF THE INTELCOM II PROGRAMME

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision A/DEC.3/8/97 of the Authority of Heads of State and Government launching the Second ECOWAS Telecommunications Programme (INTELCOM II);

DESIROUS of providing Member States with a modern, reliable telecommunications network that can carry all services including multimedia;

ON THE RECOMMENDATION of the third Meeting of ECOWAS Ministers in charge of Telecommunications held in Bamako on 10th September, 1999.

**ENACTS**

**Article 1**

Member States shall support the implementation of Intelcom II programme.

**Article 2**

The ECOWAS Executive Secretariat shall:

(a) prepare a schedule of activities from the feasibility study up to the implementation stage of Intelcom II;

(b) draw up a detailed programme for each Member State based on the global strategy adopted for Intelcom II;

(c) organise regular meetings of relevant officials in order to ensure effective monitoring of implementation of the Intelcom II programme;

(d) organise a tripartite meeting between ECOWAS, RASCOM and INTELSAT with a view to harmonising their activities in the satellite telecommunications sector.

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

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE,**
**CHAIRMAN,**
**FOR THE COUNCIL.**

## REGULATION C/REG.4/12/99 ADOPTING THE STAFF RULES AND STAFF REGULATIONS OF THE INSTITUTIONS OF THE COMMUNITY

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the Staff Rules of the Economic Community of West African States adopted by Decision C/DEC5/7/91 dated 3rd July, 1991;

NOTING the many inadequacies in the aforementioned Staff Rules which have undermine proper administration and effective personnel management;

DESIRING to endow the Community institutions with Staff Rules and Staff Regulations that are modern and reflect the rules of the international public service;

ON THE RECOMMENDATION of the fourth meeting of Ministers of Justice held in Abuja on 25th and 26th October, 1999;

**ENACTS**

**Article 1**

The Staff Rules and the Staff Regulations of the Institutions of the Economic Community of West African States are hereby adopted as attached in annex to this Regulation.

**Article 2**

This Regulation shall supersede all previous contrary provisions.

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

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN, FOR COUNCIL.**

# ECOWAS STAFF RULES

**EXECUTIVE SECRETARIAT**

**ABUJA, OCTOBER, 1999**

# ECOWAS STAFF RULES

## CHAPTER I
## GENERAL PROVISIONS

### Article 1 : Purpose and Scope

These Staff Rules of the Economic Community of West African States (ECOWAS), prepared in application of paragraph 3f Article 10 of the Revised Treaty, lay down the general conditions of employment and set forth the duties, obligations, rights and privileges of staff of the Community Institutions. They outline the broad principles governing staff recruitment and personnel management in these institutions.

### Article 2 : Definition

The following expressions in these Rules shall have the following meanings:

"**Community**" means the Economic Community of West African States (ECOWAS) referred to under Article 2 of the Revised Treaty;

"**Authority**" means the Authority of Heads of State and Government of the Community established by Article 7 of the Revised Treaty;

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

"**Executive Secretary**" means the Executive Secretary appointed in accordance with the provisions of Article 18 of the Revised Treaty;

"**Deputy Executive Secretary**" means the officer appointed under paragraph 4a of Article 18 of the Revised Treaty.

"**Executive Secretariat**" means the Executive Secretariat established under Article 17 of the Revised Treaty.

"**Treaty**" means the Revised Treaty.

"**Fund**" means the Fund for Co-operation, Compensation and Development established under Article 21 of the Revised Treaty;

"**Managing Director**" means the officer appointed in accordance with Article 28.1 of the Protocol of the Fund.

"**Deputy Managing Director**" means the officer appointed in accordance with Article 28.10 of the Protocol of the Fund.

"**Statutory Appointees**" includes the Executive Secretary, Deputy Executive Secretaries, Managing Director of the Fund, Deputy Managing Director of the Fund, Financial Controller and any other senior officer of the Community designated as such by the Authority or Council;

"**Head of Institution**" means the Executive Secretary or the Managing Director or the Head of any other ECOWAS Institution to which these Rules are applicable.

"**Staff Member**" means a regular employee of the Community Institutions who is not a Consultant.

"**Officer**" means any person holding a permanent or temporary appointment within the Community Institutions and who is paid monthly salaries or wages.

## CHAPTER II
## DUTIES, OBLIGATIONS AND PRIVILEGES

### Article 3 : Duties of Staff Member

a) In accepting appointment, staff members shall undertake to perform their duties and regulate their conduct with the interest of the Community as their sole consideration.

b) Staff members must conduct themselves with propriety. They shall avoid any action which is incompatible with the code of conduct by which staff members are bound. They shall ensure, in their official and private capacities, that their conduct in no way discredits the Community.

### Article 4 : Obligations

In the performances of their duties:

a) Staff members shall neither seek nor accept instructions from any Government, or from any other authority outside the Community.

b) Staff members shall not engage in any activity which is incompatible with the normal discharge of their functions or which may adversely affect their status as staff members of an International Organisation responsible solely to the Community.

c) Staff members shall avoid any action and, in particular, any public pronouncement which may compromise or discredit the Community or which may be inconsistent with the integrity, independence and impartiality expected of their status.

d) Staff members shall exercise utmost discretion with regard to all facts and information known to them by virtue of or in connection with the performance of their duties.

e) Staff members shall show strict respect for hierarchy, discipline and constituted authority within the Community. They shall be subject to the authority of the head of institution who may assign to them duties or post relevant to their qualifications and experience. They shall obey all specific or general directives issued by their superior officers and which fall within the framework of the duties and functions attributed to the Community.

f) Any unauthorised removal or destruction of official items and documents are strictly prohibited.

**Article 5 : Oath of Office**

a) Before assuming duty, staff members of the Community shall subscribe to the following written declaration:

I,.....solemnly swear that, in my capacity as ....., I will be faithful and loyal to the Economic Community of West African States, that I will not directly or indirectly communicate or reveal any document or information known to me in the course of the discharge of my duties to any person other than a person to whom I am authorised to communicate such; that I will not use the information in my possession as an officer of the Community in any other manner prejudicial to the safety and interest of the Community even after leaving the services of the Community. I also solemnly undertake to execute in all loyalty, discretion and conscience the duties assigned to me, to discharge these duties and regulate my conduct with the exclusive interests of the Community in view, and not to seek or accept instructions from any government or authority external to the Community.

b) The Executive Secretary shall take the oath orally during a public session of the Authority. The other Statutory appointees shall take the oath orally during a public session of Council.

Other staff members shall subscribe to a written declaration addressed to the head of the institution concerned or his duly accredited representative.

c) Irrespective of the oath or solemn undertaking, staff members shall be free to collaborate closely with any government, under the terms of any agreement concluded between that government and the Community.

**Article 6 : Protection**

a) Staff members in the service of the Community shall, by virtue of their office, be entitled to protection.

b) The Community shall protect staff members from all manner of threats, outrage, duress, assault and battery, insults or defamation to which they may be subjected on account of or in the performance of their duties. Where necessary, the Community shall make reparations for such suffered by staff members.

c) The Community shall accept full civil liability for any professional misconduct by staff during or in the performance of their official duties. In such cases, the Community may take appropriate measures against the staff member.

**Article 7 : Immunities and Privileges**

a) In the exercise of their functions, staff members shall enjoy in all Member States, the immunities and privileges set out in international Conventions.

b) The immunities and privileges attached to the Community by virtue of the General Convention on Privileges and Immunities of the Economic Community of West African States, dated 22nd April, 1978, as well as the provisions of the Headquarters Agreement are conferred in the interest of the Community.

c) These privileges and immunities do not obviate the need for staff members to perform their private obligations or to observe police laws and regulations.

d) The Executive Secretary alone may take a decision as to whether or not to waive immunities

and privileges. In cases where immunities and privileges are called into question, the staff member shall report to the head of institution who shall take appropriate action.

## CHAPTER III
## CLASSIFICATION OF STAFF

### Article 8 : Staff Grading

Members of staff of ECOWAS shall, without exception, be nationals of Member States and shall be either:

a) Internationally recruited staff comprising:

i) Statutory Appointees;

ii) Professional Staff (D and P),

b) Locally recruited staff comprising:

i) General Service Personnel (G);

ii) Auxiliary Personnel (M).

## CHAPTER IV
## APPOINTMENTS, PROMOTIONS, GENERAL CONDITIONS GOVERNING RECRUITMENT AND ADVANCEMENT

### Article 9 : General Rules

The following conditions must be met, in order to be eligible for employment in ECOWAS.

a) Must be nationals of ECOWAS Member States;

b) Must be of good moral standing and must not have a prior conviction for a serious criminal offence.

c) Must be physically able to carry out the duties and must not suffer from any mental illness, whether of a temporary or permanent nature.

d) Must have the requisite age stipulated in the Staff Regulations.

### Article 10 : Appointments

a) The Executive Secretary shall be appointed by the Authority, in accordance with paragraph 1, Article 18 of the Treaty.

b) The other Statutory Appointees shall be appointed by Council, in accordance with paragraph 4, Article 18 of the Treaty.

c) The Executive Secretary or Managing Director shall, in oonformity with paragraph 3g, Article 19 of the Treaty, appoint all staff other than the Statutory Appointees.

d) Upon appointment, all staff referred to in paragraph c above shall receive a letter of appointment signed by the Head of Institution.

### Article 11 : Staff Rules and Regulations

Subject to the provisions of Article 10 above, appointment of staff members shall be guided by the provisions of these Staff Rules and Regulations. A copy of the Staff Regulations and Staff Rules shall be sent to all staff at the same time as their letter of appointment.

In accepting the appointment offered to them, a new staff member shall state in writing that he has acquainted himself with and fully accepts the conditions set out in the Staff Rules and Regulations.

### Article 12 : Criteria for Appointment

Appointment of staff shall be done without regard to race, sex or religion.

a) Statutory Appointees shall be appointed in conformity with the procedure laid down in Article 18 of the Treaty. Appointment of other members of staff shall be competitive, pursuant to a test organised in accordance with modalities to be determined by the Head of Institution.

b) In recruiting professional staff, due cognisance shall be taken, subject to ensuring the highest standards of efficiency, competence and integrity, of the need to maintain equitable geographical distribution of posts among nationals of all Member States.

c) In filling vacancies, due consideration shall be given to serving members of staff possessing the requisite qualifications and experience, this without prejudice to recruitment of fresh talents.

### Article 13 : Nature of Appointment

Appointments shall be on a permanent, fixed term, contract or temporary basis.

a) A permanent appointment shall be for an

indefinite period, lasting normally till the staff member retires.

Such appointment may be offered only to persons who, at the date of appointment are below the age of 50 years. This age limit does not apply to staff members already in the service of the Community.

Appointment in accordance with this paragraph shall be on a probationary term for a period of one year, after which the appointment may be confirmed.

b) A fixed-term or contract appointment is an appointment the duration of which is fixed and determined in the letter of appointment. Such an appointment should not exceed three years and may be renewed for another period of three years or less. Contract appointments tied to community projects may be extended until such projects are completed. Staff members on fixed term appointments one year or more shall be on probation for six months after which the appointment may be confirmed for the duration of the contract.

Staff members who hold permanent appointments or who have been dismissed from the service of the Community shall not be eligible for any fixed term contract appointments within the Community Institutions.

c) An appointment is considered to be temporary where the relevant letter of appointment expressly states that the period of employment shall not exceed 6 (six) months. Such appointment may be renewed three times for periods not exceeding 6 (six) months each. Former staff members of the Community are eligible for temporary appointment.

**Article 14 : Advancement**

a) Staff members shall be entitled to periodic salary increase within a given grade.

b) Salary increment shall be granted only where a staff member performs his duties satisfactorily.

c) For a staff member to advance to the next grade level, an individual performance evaluation report shall be submitted in a form prescribed by the Head of Institution as stipulated in sub-paragraph (a), Article 19 of the Staff Regulations.

**Article 15 : Conditions and Modalities**

The conditions and modalities governing appointments, promotions confirmation of appointment and advancement are laid down in the Staff Regulations.

## CHAPTER V
## REMUNERATION

**Article 16 : Salaries, Allowances and Services**

a) Each staff member in the service of the Community is entitled to a salary, allowance and other entitlements.

b) A revised structure of salaries, allowances and other staff entitlements as well as conditions governing their application shall be referred to Council for approval from time to time through the Administration and Finance Commission. These salary structures, conditions and modalities shall be set out in the Staff Regulations.

c) The conditions of service of locally recruited staff shall be closely aligned to the best conditions available in the host countries as well as by various other factors, particularly conditions offered by other international organisations. The salaries adopted shall not be lower than those in force in the host country.

d) The emoluments paid to personnel recruited on contract or staff serving in capacities other than as permanent staff shall be fixed by the Head of Institution.

e) All members of staff shall subscribe to a pension or staff provident fund to which they shall make contributions in accordance with the modalities and conditions set out in the Staff Regulations.

f) A staff member shall be deemed to be in employment when he is effectively engaged in carrying out the duties assigned to him; he is also considered to be in active service while on leave, on official assignment, or when on a course of training or advanced training.

g) The Head of Institution shall ensure compliance with the provisions of the Staff Regulations establishing conditions for the granting of leave, due regard being had to the exigencies of service.

## CHAPTER VI
## ANNUAL LEAVE, HOME LEAVE AND SPECIAL LEAVE

**Article 17 : Annual leave, Home leave, Special leave**

a) Staff members shall be entitled to annual leave.

b) International staff whose duty station is outside their home country shall be granted home leave once every two years.

c) Special leave may be authorised by the Head of Institution in exceptional cases.

d) The conditions and modalities governing leave entitlements are contained in the Staff Regulations.

## CHAPTER VII
## SOCIAL SECURITY SCHEME

**Article 18 : Social Security Scheme**

a) The head of Institution shall establish a social security scheme for staff which shall cover:

i) Sick leave;

ii) maternity and paternity leave;

iii) compensation in case of illness contracted while in active service or in the course of executing the duties of a staff member;

iv) medical assistance;

v) assistance in the event of death;

vi) a provident fund;

vii) group accident insurance;

viii) group life insurance.

b) The conditions governing access to the social security benefits by the different categories of staff and all other relevant conditions and modalities are set out in the Staff Regulations.

## CHAPTER VIII
## AUTHORISED TRAVEL

**Article 19 : Authorised Travel**

ECOWAS shall pay the transport costs of staff members on official mission and all other functionaries and dependent persons who meet the set criteria and who are travelling for the following reasons:

a) Upon initial appointment, between their home countries or between their place of recruitment and their duty station;

b) on home leave;

c) changing duty stations;

d) upon separation from services;

e) for any other reason as may be authorised by the Staff Regulations.

**Article 20 : Shipment of furniture and household effects**

The cost of shipment of household effects belonging to staff shall be borne by the Community, in accordance with provisions and modalities set forth in the Staff Regulations.

## CHAPTER IX
## SEPARATION FROM SERVICE

**Article 21 : Resignation**

Staff may resign their appointment upon giving the requisite period of notice to the Head of the Institution as stipulated in their letters of appointment and in conformity with the Staff Regulations.

**Article 22 : Termination of Appointment**

The Executive Secretary may, in accordance with the relevant provisions of the Staff Regulations, terminate the appointment of a staff member at any time for any of the following reasons:

a) Where the exigencies of service demand that a post be abolished or call for staff retirement;

b) where the performance of the staff member is no longer satisfactory;

c) where, for medical reasons, the staff member cannot continue in his functions;

d) where facts antecedent to his appointment and relevant to his suitability or his integrity come to light which, had they been known at the time of his recruitment, would have precluded his appointment;

e) where the staff member is convicted of a criminal offence, thus breaching the conduct demanded of a staff member of an international organisation and bringing discredit upon the Community;

f) where the staff member is guilty of conduct inimical to the well-being of the Community;

g) Only members of staff terminated under paragraphs a & c above will receive benefits as stipulated in the Staff Regulations.

**Article 23 : Retirement**

With the exception of statutory appointees, staff on fixed-term contract, temporary staff and consultants, no member of staff may remain in service beyond the age of sixty (60) or for a period longer than the maximum years of continuous service stipulated in the Staff Regulations.

The terms and conditions governing early and voluntary retirement are also stipulated in the Staff Regulations.

## CHAPTER X
## ORGANS INVOLVED IN PERSONNEL MATTERS

**Article 24 : Joint Advisory Committee on Appointments, Promotions and Disciple**

a) There is hereby created a Joint Advisory Committee on Appointments, Promotions and Discipline of professional staff of the Community.

b) All decisions pertaining to appointments, promotion and disciplinary measures specified in the Staff Regulations shall be taken by the Head of Institution, upon recommendation by the Advisory Committee. Such decisions and the report of the Committee shall be communicated to Member States within thirty days.

c) The duties of the Advisory Committee shall be limited to appointments, and to matters concerning promotions and discipline of professional staff. It shall have powers to examine, at least once a year, cases of appointments and promotions of locally recruited staff to ensure uniformity of standards within the two institutions of the Community.

d) The composition and rules of procedures of the Advisory Committee shall be as stiputated in the Staff Regulations.

**Article 25 : Advisory Committee Appointments, Promotions and Discipline of Locally Recruited Staff**

a) There is hereby established in each Institution of the Community, an advisory Committee on the appointment, promotion and discipline of locally recruited staff.

b) The Committee in each institution shall perform in respect of the locally recruited staff, the same duties as are performed by the Joint Advisory Committee on appointment, promotions and discipline of professional staff.

c) The Staff Regulations shall fix the composition and rules of procedure of the Committee.

## CHAPTER XI
## DISCIPLINE

**Article 26 : Disciplinary Measures**

a) The Head of Institution may take disciplinary measures against a staff member guilty of unsatisfactory behaviour.

b) In so doing, he shall be guided by the appropriate Advisory Committee on Appointments, Promotions and Discipline with regard to certain disciplinary measures contained in the Staff Regulations.

## CHAPTER XII
## RIGHT OF RECOURSE

**Article 27 : Right of Recourse**

Staff members, their beneficiaries or their representatives may appeal any decision taken against them by the Head of Institution to the Council of Ministers through the Administration and Finance Commission or Board of Directors of Fund in cases of where they are of the opinion that the conditions of service (including any relevant provision of the Staff Regulations) have not been respected or that a disciplinary measure applied to them is contestable. In the event that recourse to Council of Ministers is not satisfactory, the affected staff member may appeal to the Community Court of Justice.

## CHAPTER XIII
## MISCELLANEOUS AND FINAL PROVISIONS

**Article 28 : Entry into force**

These Rules are subject to adoption by the Council of

Ministers. They shall enter into force in accordance with the provisions of the Treaty governing entry into force of Regulations.

**Article 29 : Delegation of Powers**

The Head of Institution may delegate to his deputy, any of the duties assigned to him under the terms of these Regulations.

**Article 30 : Amendments**

The Regulations may be supplemented or amended by the Council of Ministers.

**Article 31 : Staff Regulations**

These Staff Rules shall be supplemented by Staff Regulations, the provisions of which must be consistent with the principles encapsulated therein.

**Article 32 : Abrogation**

These rules supercedes all previous miscellaneous and final provisions.

**Article 33 : Language of Publication**

These Regulations shall be published in the working languages of the Economic Community of West African States.

# ECOWAS STAFF REGULATIONS

**EXECUTIVE SECRETARIAT**

**LOME, DECEMBER, 1999**

## ECOWAS STAFF REGULATIONS

### CHAPTER 1
### GENERAL PROVISION

**ARTICLE 1 : PURPOSE**

These Regulations, established in implementation of Article 31 of the Staff Rules of the Economic Community of West African States, are a supplement to the said Rules.

**ARTICLE 2 : APPLICABILITY**

The provisions of these Regulations shall apply to all staff members of ECOWAS as defined in Article 3 hereafter.

**ARTICLE 3 : DEFINITION**

The following expressions in these Rules shall have the following meanings:

***"Statutory Appointee"*** means an officer appointed in compliance with Article 18 of the ECOWAS Revised Treaty and Article 28 of the Protocol relating to the Fund for Cooperation, Compensation and Development of the Economic Community of West African States, dated 5th November, 1976;

***"Professional Staff"*** means an officer from a Member State who is not a statutory appointee, holding university degrees or equivalent professional qualification, and who is involved in the execution of the duties assigned to the ECOWAS Institutions;

***"General Service Staff"*** means a qualified administrative official responsible for the execution of duties initiated by the statutory appointees and professional staff. He is primarily involved in the execution of the day-to-day administrative duties of the ECOWAS institutions;

***"Auxiliary Staff"*** means semi-skilled and non-technical personnel;

***"Dependent spouse"*** means any person legally married to an officer, who has no paid employment with ECOWAS or elsewhere. For the purpose of these Rules, a spouse shall be considered to be gainfully employed if his earnings exceed an amount fixed by the Executive Secretary for the purpose. This amount shall be the approximate equivalent of the lowest entry level of the ECOWAS salary scale;

***"Dependent Child"*** means the legitimate, legitimised or legally adopted child of an officer. Adoption must confirm to the laws of the officer's country. If both spouses are officers, they must decide which one of them shall claim dependency of the child in order to avoid duplication of benefits;

***"Beneficiaries"*** means any persons so designated by the officer in writing, and in accordance with prescribed procedure. In the event of the death of an officer, all amounts accruing to him shall be paid to his beneficiary(ies);

***"Country of origin"*** means home country as applicable under article 33 of these staff regulations or authorised home country of one or other of the two spouses if both spouses are ECOWAS professional staff;

***"Duty Station"*** means the country to which the officer is posted.

***"Community"*** means the Economic Community of West African States (ECOWAS) referred to under Article 2 of the Revised Treaty;

***"Authority"*** means the Authority of Heads of State and Government of the Community established by Article 7 of the Revised Treaty;

***"Council"*** means the Council of Ministers established under Article 10 of the Revised Treaty;

***"Executive Secretary"*** means the Executive Secretary appointed in accordance with the provisions of Article 18 of the Revised Treaty;

***"Deputy Executive Secretary"*** means the officer appointed under paragraph 4a of Article 18 of the Revised Treaty.

***"Executive Secretariat"*** means the Executive Secretariat established under Article 17 of the Revised Treaty.

***"Treaty"*** means the Revised Treaty.

***"Fund"*** means the Fund for Co-operation, Compensation and Development established under Article 21 of the Revised Treaty;

**"Managing Director"** means the officer appointed in accordance with Article 28.1 of the Protocol of the Fund.

***"Deputy Managing Director"*** means the officer appointed in accordance with Article 28.10 of the Protocol of the Fund.

***"Head of Institution"*** means the Executive Secretary or the Managing Director or the Head of any other ECOWAS Institution to which these Rules are applicable.

***"Staff Member"*** means a regular employee of the Community Institutions who is not a Consultant.

***"Officer"*** means any person holding a permanent or temporary appointment within the Community Institutions and who is paid monthly salaries or wages.

## CHAPTER II
## DUTIES, OBLIGATIONS AND PRIVILEGES

### ARTICLE 4 : DUTIES AND OBLIGATIONS

In addition to the general obligations laid down in Articles 3 and 4 of the Staff Rules, to protect and defend the interests of ECOWAS, all officers shall be bound by the further obligations stated hereafter, which are inherent to the nature of their functions and responsibilities.

(a) All officers shall be diligent in the discharge of their duties which may not be delegated to other persons. They must be regularly present at their duty posts.

(b) Officers shall scrupulously abide by the working hours established by the Head of Institution.

(c) No officer may practice any other profession, accept any other employment, or undertake any other gainful activity without prior authorisation of tho Head of Institution.

(d) An officer who holds interests in any company prior to his appointment or while in service shall disclose the nature and extend thereof to the Head of Institution. A serving officer shall make the disclosure within five working days of acquiring such interest. Moreover, he shall pledge in writing that he shall not be actively involved in the management of such companies and enterprises.

(e) Officers shall be answerable to their immediate superior with regard to the use of the powers, the execution of orders and the monitoring of duties assigned by them. They shall be fully responsible for the performance of their subordinates, except in cases of human error.

(f) Officers may discharge their civic duties, but shall not engage in any political activity which is inconsistent with the independence and impartiality required by their status as staff members of an international organisation or which is in any way detrimental to ECOWAS.

### ARTICLE 5 : PRIVILEGED INFORMATION

(a) By virtue of their status as staff members of an international organisation, staff members shall be bound by an oath of secrecy. Except when duly authorised by the Head of institution who shall so decide if he is of the belief that no prejudice shall be caused thereby to ECOWAS or to a Member State, no staff member shall communicate to a third party, or use for his personal interests, any information, document or fact known to him by reason of his official position or acquired in the discharge of his official duties.

(b) Except with the prior authorisation of the Head of Institution, whenever the aims, activities or interests of ECOWAS are in issue, officers may not, unless in performance of their normal duties, make any statements to the press or to any other information media, make public declarations, or publish articles, books relating to the activities of the Community.

(c) Unless the Head of Institution expressly grants an exemption, officers shall be bound by the obligations set out in paragraphs (a) and (b) above even after leaving the employment of ECOWAS.

(d) Any unauthorised diversion, removal or destruction of official documents is strictly prohibited. Similarly, official documents may not be made public or reproduced except for official purposes.

### ARTICLE 6 : COPYRIGHT, PATENTS AND SIMILAR RIGHTS

All rights, including copyright, patent rights and other exclusive rights granted for work performed officially by an officer shall be the property of ECOWAS.

### ARTICLE 7 : OFFICIAL HOLIDAYS

(a) Officers shall be entitled to the following work-free days with pay:

(b) The maximum age limit for recruitment of candidates shall be fifty years.

(c) In selecting between equally qualified applicants, preference shall be given to nationals of Member States which have the lowest representation of staff in the organisation.

**ARTICLE 13 : INTERNAL AND EXTERNAL SELECTION**

(a) ECOWAS shall, as much as possible, adopt the principle of in-house promotion. This policy must however not hamper the acquisition of fresh outside talent.

(b) Promotion from one grade to another shall be based on competition.

**ARTICLE 14 : RECRUITMENT OF PERSONS RELATED TO STAFF MEMBERS**

(a) Except in cases where no comparable alternative is possible, ECOWAS shall not employ the husband, wife, father, mother, son, daughter, brother or sister of a staff member.

(b) An officer who is related to another officer in any of the ways enumerated in paragraph (a) above, may not be deployed to a post where he shall be the immediate superior or subordinate of his relation; nor may the officer be part of any administrative decision or review of an administrative decision affecting his relation.

(c) In the event of two (2) officers getting married, the contractual basis of their employment remains unchanged, but their rights and benefits shall be modified accordingly.

**ARTICLE 15 : MODALITIES FOR APPOINTMENT**

(a) Posts in the professional categories shall be advertised by the ECOWAS institutions in all Member States and international magazines, allowing a maximum of 3 months from the date of the letter announcing the vacancy to the deadline for submission of applications. Applications shall be forwarded directly to the Head of institution who in turn, shall convene the Advisory Committee to meet and screen the applications and short list candidates, in accordance with the conditions laid down in the Rules of Procedure of the Joint Advisory Committee on Appointments, Promotions and Discipline. An internal notice of such vacancies shall also be circulated.

(b) Short-listed candidates posts shall be recruited on a competitive basis in accordance with the provisions of Article 13 of the Staff Rules.

(c) Staff members in the G and M categories shall also be recruited on a competitive basis, using the same short-listing procedure applied to candidates for professional posts. However, the adjudicating body in such case shall be the Advisory Committee for Appointment, Promotion and Discipline of Locally Recruited Staff.

**ARTICLE 16 : LETTER OF APPOINTMENT**

(a) The letter of appointment sent to every officer in accordance with Article 10 of the Staff Rules shall clearly state or refer to all the conditions of employment. The letter must state : the nature of the appointment, the date of assumption of duty; the duration of the appointment; notice required to terminate the appointment; length of probation period; salary and benefits attached to the post, indicating the starting salary; any special conditions which may be applicable from time to time, such as taxes and levies. The employee shall enjoy only such rights and privileges as are mentioned in his letter of appointment and in the staff rules and these regulations.

(b) In accepting his appointment, the staff member shall state in writing that he has acquainted himself with and accepted the conditions laid down in the Staff Rules and these Regulations, and any other relevant regulations of the Council of Ministers. In any event, acceptance of the appointment shall constitute an acknowledgement that the staff member accepts to be bound by the Staff Rules and Regulations.

**ARTICLE 17 : OFFICIAL INFORMATION TO BE PROVIDED BY OFFICERS**

(a) On his appointment, the staff member shall provide the Head of Institution with the personal information required to determine his status in the light of the Staff Rules and Regulations.

(b) The staff member shall promptly inform the Head of Institution of any subsequent changes which might affect his situation under the terms of the Staff Rules and Regulations.

(c) All facts of arrest, fine, imprisonment for any offence other than a minor traffic violation shall immediately be reported to the Head of Institution.

(d) A staff member may at any time be required by the Head of institution to supply information concerning facts antecedent to his appointment and relevant to his suitability, integrity, conduct and services as a staff member.

**ARTICLE 18 : EFFECTIVE DATE OF APPOINTMENT**

(a) The appointment of a locally recruited staff member shall take effect from the date on which he reports for duty.

(b) The appointment of an internationally recruited staff member or a staff member recruited outside his duty station shall take effect from the day on which he officially leaves his normal residence to travel by the most direct route to his duty station, or, if no official travel is involved, from the date on which he reports for duty.

**ARTICLE 19 : PROBATION AND CONFIRMATION**

(a) The period referred to in Article 13, paragraphs (a) and (b) of the Staff Rules is a period of observation during which the employee seeking confirmation must demonstrate by the highest standards of performance, efficiency, integrity, good behaviour and mental and physical aptitude, his ability to discharge the functions and responsibilities of his office.

(b) The duration of the probationary period shall be fixed in the letter of appointment, in conformity with the provisions of article 13, paragraphs (a) and (b) of the Staff Rules.

(c) During the probationary period referred to in Article 13, paragraph (a) of the Staff Rules, the Director of the Department or the statutory appointee concerned, as the case may be, shall establish a written report on the competency, performance and conduct of the officer and on his suitability for his continued employment in ECOWAS. This report shall be examined by the appropriate Advisory Committee on Appointments, Promotions and Discipline which shall recommend to the Executive Secretary whether or not to confirm the appointment. Any inadequacies observed in the performance of the officer during the probationary period shall be brought to his attention in writing.

(d) If performance during the initial probationary period is unsatisfactory, and the officers immediate superior deems that he is capable of appreciable improvement, the appropriate Advisory Committee may recommend to the Executive Secretary an extension of the probationary period for a period not exceeding one year. At the end of the extension period, performance evaluation shall again be conducted under the conditions laid down in paragraph (c) above.

(e) On successful completion of the normal or extended probationary period the office's appointment shall be confirmed on the recommendation of the appropriate Advisory Committee.

(f) If the officer fails to give satisfactory performance, at the end of the extended probationary period, his appointment shall be terminated on the recommendation of the appropriate Advisory Committee.

(g) The normal or extended probationary period for contract officers as defined in article 13(b) of the Staff Rules shall be assessed under the same conditions as for permanent appointment by the appropriate Advisory Committee.

(h) Renewal of contracts valid for less than one year shall be optional. Notice of renewal or termination shall be given in writing not less than 2 months before the date of expiry of the contract. Where notice has not been so given, the contract shall be deemed to have been extended for a period of 6 months from the terminal date of the initial contract. In exceptional cases, special written agreements may be reached with the staff member concerned. These provisions shall not apply where the officer shall have attained the age of fifty-five years on the date on which the contract expires or where the officer has been dismissed.

(i) Domestic staff, with the exception of security guards, shall be appointed for only such period as shall terminate with the tenure of the officer for whom they are employed.

**ARTICLE 20 : PROMOTION**

(a) Personal files, Evaluation Reports

An annual report shall be written on the performance and conduct of each officer by his superior officers. A copy of the report shall be given to the officer who shall so acknowledge. The officer shall be entitled to record his own comments in his personal file.

(b) Advancement within the same grade:

(i) In accordance with article 14, paragraphs (a) and (b) of the Staff Rules, advancement by one or more steps within the same grade is based on performance and merit.

(ii) Advancement shall be at the rate of 1 step every 2 years, after 2 years of uninterrupted service, and based on satisfactory evaluation reports.

(iii) Increment may be withheld on the grounds of unsatisfactory performance or for disciplinary reasons. Unless the Executive Secretary decides otherwise, the amount withheld may not be paid retroactively or restored before the expiry of the 24-month period.

(iv) Exceptionally high performance may be rewarded by accelerated advancement of not more than 1 step in addition to the normal increment. Such accelerated advancement may not be awarded more than twice within the same grade.

Accelerated advancement may not be awarded without the necessary budgetary allocation.

(c) Right of Appeal:

Every officer shall have right of appeal with regard to the advancement in accordance with the procedures stipulated in article 27 of the Staff Rules.

## CHAPTER V
## SALARIES AND BENEFITS

### ARTICLE 21 : STATUTORY APPOINTEES

(a) Statutory appointees shall be entitled to receive, in addition to the basic salary fixed by the Council of Ministers, the various allowances granted to officers as enumerated hereafter in Articles 22 to 31.

(b) Statutory appointees shall also be entitled to the following special benefits :

Head of Institution:

(i) Free, furnished accommodation;

(ii) Free domestic staff (5 in number, including 1 security guard);

(iii) One ceremonial car and driver;

(iv) One official car and driver;

(v) Free water and electricity;

(vi) Free office telephone service.

Other statutory appointees

(i) Free, furnished accommodation;

(ii) Free domestic staff (4 in number, including 1 security guard);

(iii) One official car and driver;

(iv) Free water and electricity;

(v) Free office telephone service.

(c) Telephone service in the residences is free up to a ceiling of $250 per month for the Heads of Institution and $200 per month for the other statutory appointees.

(d) The amounts stated in paragraph (c) above may be reviewed by the Council of Ministers, on the recommendation of the Administration and Finance Commission.

### ARTICLE 22 : SALARY SCALE

(a) The salary scale for all categories of ECOWAS staff shall be fixed by the Council of Ministers.

(b) The salary of each officer within the approved scale shall be determined according to his grade, on the recommendation of the appropriate advisory committee.

### ARTICLE 23 : SALARIES AND ALLOWANCES OF CONTRACT OFFICERS

(a) The salary of contract officers shall be fixed in accordance with the scale used for the corresponding category of ECOWAS staff, plus a 10% addition.

(b) When the payment due is for a period of less than one month, the amount shall be calculated at the rate of 1/30 of the monthly salary for each day

owed. However, the full month's salary shall be paid in the event of death in the course of duty.

**ARTICLE 24 : POST ADJUSTMENT**

(a) The salaries of all ECOWAS staff shall be adjusted to ensure the equivalence of purchasing power in the different duty stations.

(b) Post adjustment indices shall be established for the ECOWAS duty posts based on the indices published regularly by the United Nations International Civil Service Commission.

**ARTICLE 25 : HOUSING ALLOWANCE**

(a) ECOWAS shall provide each professional staff member with residential accommodation for which he shall contribute 5% of his net annual salary, to be deducted at source.

(b) Where accommodation is not immediately available, professional staff and their dependants shall be accommodated in a hotel at the expense of ECOWAS for a period of three (3) months. Thereafter, they shall be required to pay to ECOWAS 3% of their monthly salary towards the settlement of their hotel bills exclusively.

(c) General service and auxiliary staff shall be paid a compensatory housing allowance to be determined by Council on the recommendation of the Administration and Finance Commission taking into consideration the actual situation in each duty station.

**ARTICLE 26 : DEPENDENCY ALLOWANCE**

(a) A dependency allowance shall be paid to any officer whose spouse qualifies as a dependent spouse as stipulated in article 3 of these Regulations and who can show that she dees not receive a similar allowance from other sources in respect of the said spouse.

The allowance for a dependent spouse shall also be payable to any female officer whose husband fulfills the same conditions. The amount of the allowance shall from time to time be reviewed by the Council of Ministers on the recommendation of the Administration and Finance Commission.

(b) A dependency allowance shall be paid to officers for each unmarried child up to the age of 18 years, and to a maximum of 4 children. The allowance shall be payable for each dependent child up to the age of 21 years if the child is in full-time attendance at a school, university, or similar educational institution wherever they may be. The officer shall submit a written application in this regard accompanied by such supporting documents as the Executive Secretary shall deem satisfactory, in accordance with article 3 of these Regulations. The amount of the dependency allowance for a child shall be reviewed from time to time by the Council of Ministers, on the recommendation of the Administration and Finance Commission.

Dependency allowance shall be payable up till the end of the child's education is interrupted for the school year during which the child shall attain the age of 21 years. If a period of at least one year by national service or due to illness, the period of eligibility for the allowance shall be extended by the period of interruption.

The amount of the allowance which shall cover only tuition fees and related charges, shall be reviewed from time to time by the Council of Ministers on the recommendation of the Administration and Finance Commission.

(c) Dependency allowance shall not be payable in respect of:

- attendance at a free school or one charging only nominal fees;
- correspondence courses except those which, in the opinion of the Head of Institution, are not taught in the schools in the duty station;
- private tuition, except tuition in a language of the home country at the duty station where satisfactory facilities for learning that language are not available.
- vocational training or apprenticeship which does not involve full-time schooling or in which the child receives payment for services rendered.

**ARTICLE 27 : OFFICIAL TRAVEL ALLOWANCE**

Staff members travelling on official missions shall be entitled to a perdiem in accordance with the conditions laid down in Chapter VIII of these Regulations, based on the daily subsistence allowance rates for different

regions of the world, and approved by the Council of Ministers on recommendation of the Administration and Finance Commission.

**ARTICLE 28 : INSTALLATION, SEPARATION AND RESETTLEMENT ALLOWANCES**

(a) All newly-appointed statutory appointees and professional staff shall be paid an installation allowance upon arrival at their duty station to cover the extra expenditure of settling in. The allowance shall amount to one (1) month of the officer's salary.

(b) All members of staff, excluding statutory appointees shall be entitled to a separation allowance corresponding to one (1) month's salary for every two(2) years of service rendered to the Community.

(c) Statutory appointees shall be entitled to a gratuity for each year of service, at a rate to be determined by the Council of Ministers on the recommendation of the Administration and Finance Commission. The payment shall be effected on separation from service.

(c) All statutory appointees and professional staff shall be paid a resettlement allowance of three (3) months salary on their separation from ECOWAS, provided they were not summarily dismissed, did not resign and had served the organisation for at least four (4) years.

**ARTICLE 29 : OTHER OFFICIAL ALLOWANCES**

(a) Duty Allowances

Staff members who are called upon to discharge extra responsibilities or who are subjected to special constraints because of the nature of their appointment shall be entitled to duty allowance.

Council, on the recommendation of the Head of Institution shall approve a list of staff eligible for duty allowance and determine the conditions and modalities of payment for eaoh category of staff.

Staff members granted duty allowance shall not be entitled to overtime as defined in paragraph (b) of these Regulations.

(b) Overtime

General service and auxiliary staff who are required to work in excess of the normal working week shall be entitled to compensation. General service and auxiliary staff may obtain payment of overtime in lieu of the work-free days at the rates to be determined by Council on the recommendations of the Administration and Finance Commission.

(c) Acting Allowance

(i) Any confirmed officer may be called upon temporarily to discharge the duties and responsibilities of a post higher than his own. The officer shall be entitled to interim allowance if he discharges the full duties and responsibilities of the higher post satisfactorily and without interruption for a period of not less than thirty (30) days, and if the holder of the post is absent for reasons other than an official duty. The interim allowance shall be paid as from the date when he assumes the duties and responsibilities of the highest post and shall cover the whole period of absence of the substantive holder.

(ii) When an officer acts for a Director, his interim allowance shall be calculated on the difference between the basic monthly salary for his grade and the basic monthly salary of the immediate grade higher than his.

When a P3 officer acts for a Director, his interim allowance shall be calculated on the difference between the basic monthly salary for grade P4, step 1 and the basic monthly salary of the officer concerned.

(iii) However, if the difference stipulated in paragraphs (i) and (ii) above is not to the advantage of the interim officer, or will cause him to incur a loss, his allowance shall be calculated based on the next salary step which will yield a positive difference.

(d) Transport allowance

All staff shall be paid a monthly transport allowance at a rate to be determined by the Council of Ministers on the recommendation of the Administration and Finance Commission.

(e) Staff Training Allowance

(i) Staff members shall be entitled to such

training, refresher and reorientation courses as shall be approved by the Council of Ministers, in accordance with Article 16, paragraph (f) of the Staff Rules.

(ii) Staff members shall be entitled to a training allowance in addition to their salary and other allowances if they are selected to take training, refresher or reorientation courses lasting less than three (3) months, approved ECOWAS Priority areas, outside their duty station. The training allowance shall be in the same amount as the normal daily subsistence allowance for each category, for the first twenty-eight (28) days. Thereafter, the allowance shall be equel to half of the normal daily subsistence allowance.

(iii) When the training course is entirely sponsored by external technical assistance agencies in the form of a scholarship, and if the length of the course does not exceed three (3) months, the employee shall receive his full salary and the difference between the subsistence allowance paid by the agency and the ECOWAS subsistence allowance if the latter is lower. If the external sponsorship does not cover all the fees, charges, transport and subsistence costs connected with the course, ECOWAS shall pay the balance, excluding costs relating to language courses.

(iv) ECOWAS shall not bear the cost of language courses.

**ARTICLE 30 : REDUNDANCY ALLOWANCE**

Any confirmed contract officer or permanent staff member who is retrenched because his post has been made redundant as a result of staff rationalisation, or because his mental or physical health prevents him from discharging his duties in accordance with the provisions of article 22 of the Staff Rules, shall be entitled to a redundancy allowance equal to one month's basic salary for every year of service completed, up to a maximum of 12 years. Staff members who resign, in conformity with the provisions of article 52 of these Regulations, whose contracts have not been confirmed, whose contracts have not been renewed, who have been terminated or dismissed for serious criminal offences, or because of facts antecedent to their appointment which if they had been known, would have precluded their appointment, or for conduct detrimental to ECOWAS, shall be ineligible to receive redundancy allowance.

**ARTICLE 31 : SALARY ALLOWANCES AND LOAN GUARANTEES**

(a) The Head of Institution may, in exceptional and compelling circumstances, particularly upon assumption of duty by a staff member and upon change of duty station, authorise an advance of two (2) months net salary, excluding allowances and other benefits. Application shall be made in writing, with detailed supporting documents. Repayment instalments shall be deducted at source commencing two (2) months from the month during which the advance was obtained. If the sum advanced corresponds to one month's salary, repayment shall be completed within three (3) months, and within six (6) months in the case of advances of two (2) months net salary.

(b) During the repayment period no other advance may be granted to the beneficiary.

(c) Should the staff member resign or should his contract be terminated, the outstanding balance shall be fully deducted from his terminal benefits.

(d) The Head of Institution may in exceptional cases and in cases of force majeure, authorise an advance for reasons other than those specified in paragraph (a) above. Application shall be made in writing with detailed supporting documents.

(e) Confirmed permanent staff may be guaranteed by ECOWAS for loans obtained from commercial banks or any other financial institutions especially loans that may be available for furnishing. Staff members on probation can only be guaranteed with surety from a confirmed staff member.

**CHAPTER VI**
**ANNUAL VACATION LEAVE, HOME LEAVE, SPECIAL LEAVE**

**ARTICLE 32 : ANNUAL VACATION LEAVE**

In accordance with the provisions of Article 17(a) of the Staff Rules.

(a) Statutory appointees and professional staff members shall earn an annual vacation leave

while in full status at the rate of thirty-five (35) working days in a year.

(b) General service and auxiliary staff members shall earn an annual leave vacation of twenty-eight (28) working days in a year.

(c) Not more than ninety (90) working days of annual vacation leave shall be accumulated by any staff member. Staff members not taking their annual vacation leave shall not be paid a salary in lieu of the leave.

Any absence from duty not specifically covered by other provisions in the Staff Regulations shall be charged to the staff member's accumulated leave, if any. If the staff member has no accrued leave, it shall be considered as unauthorised and payment of salary and allowances shall cease for the period of such absence.

(d) Without prejudice to the provisions of paragraph (c) of this Article, a staff member who does not yet satisfy the conditions entitling him to annual vacation leave may, in exceptional cases and whenever there are compelling reasons to do so, be granted a maximum of twenty working days of leave, on the condition that will thereafter remain in service long enough to earn the leave. The number of days so granted shall be deducted from the annual vacation leave.

(e) Without prejudice to the provisions of paragraph (c) of this Article, a staff member who, at the time of separation from service, has accumulated days of annual vasation leave shall be paid in lieu thereof a sum of money equivalent to his salary for the period of such accrued leave up to a maximum of ninety werking days.

**ARTICLE 33 : HOME LEAVE**

(a) International staff members whose home country is outside the country of their official duty station shall, subject to the exigenoias of the service, be granted home leave once every two years for a period equivalent to their accrued leave.

(b) In exceptional and compelling circumstances, the Head of institution may, at the request of the staff member concerned, authorise as home country other than the country of nationality, provided that the round trip cost does not exceed that of the home country of the International staff member.

(c) International staff members may take their annual vacation leave at any time during the calendar year during which they become eligible for the leave, subject to the exigencies of the service and provided they receive the necessary authorisation. A staff member may be required to take his home leave in conjunction with travel on official business, due regard being paid to the interest of the staff member and his family.

(d) In exceptional circumstances, the Head of Institution may authorise an international staff member to take a home leave during the calendar year preceding the one in which the staff member becomes eligible for home leave, provided that the staff member has put in at least eighteen months of continuous service or that at least eighteen months have elapsed since the staff member returned from his last home leave. Where home leave is granted before the staff member becomes eligible for the leave, the date of his next home leave shall remain unchanged.

(e) International staff members who satisfy the necessary conditions shall be entitled to their first home leave during the second calendar year following their assumption of duty. Under no circumstances shall home leave be approved for staff members whose appointments have not been confirmed. Home leave shall be granted only when the Head of Institution is convinced that the service of an international staff member shall continue at least six months beyond the date of his return from home leave.

(f) Where an international staff member delays his departure on home leave beyond the end of the calendar year during which he becomes eligible for the leave, the staff member shall forfeit the leave and shall not take his next home leave until during the second calendar year following the one in which he became eligible for the home leave. However, the Head of Institution may, in exceptional circumstances and subject to the exigencies of the service, decide that a staff member's home leave should be deferred beyond the calendar year during which the staff member becomes eligible for the leave. In such a case, the date of the next home leave shall remain unchanged, provided that the service of the staff member shall continue at least twelve months beyond the date of his return from the deferred home leave before he can earn another home leave.

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(c) Not more than ninety (90) working days of annual vacation leave shall be accumolated by any staff member. Staff members not taking their annual vacation leave shall not be paid a salary in lieu of the leave.

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(d) Without prejudice to the provisions of paragraph (c) of this Article, a staff member who does not yet satisfy the conditions entitling him to annual vacation leave may, in exceptional cases and whenever there are compelling reasons to do so, be granted a maximum of twenty working days of leave, on the condition that will thereafter remain in service long enough to earn the leave. The number of days so granted shall be deducted from the annual vacation leave.

(e) Without prejudice to the provisions of paragraph (c) of this Article, a staff member who, at the time of separation from service, has accumulated days of annual vacation leave shall be paid in lieu thereof a sum of money equivalent to his salary for the period of such accrued leave up to a maximum of ninety working days.

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(c) International staff members may take their annual vacation leave at any time during the calendar year during which they become eligible for the leave, subject to the exigencies of the service and provided they receive the necessary authorisation. A staff member may be required to take his home leave in conjunction with travel on official business, due regard being paid to the interest of the staff member and his family.

(d) In exceptional circumstances, the Head of Institution may authorise an international staff member to take a home leave during the calendar year preceding the one in which the staff member becomes eligible for home leave, provided that the staff member has put in at least eighteen months of continuous service or that at least eighteen months have elapsed since the staff member returned from his last home leave. Where home leave is granted before the staff member becomes eligible for the leave, the date of his next home leave shall remain unchanged.

(e) International staff members who satisfy the necessary conditions shall be entitled to their first home leave during the second calendar year following their assumption of duty. Under no circumstances shall home leave be approved for staff members whose appointments have not been confirmed. Home leave shall be granted only when the Head of Institution is convinced that the service of an international staff member shall continue at least six months beyond the date of his return from home leave.

(f) Where an international staff member delays his departure on home leave beyond the end of the calendar year during which he becomes eligible for the leave, the staff member shall forfeit the leave and shall not take his next home leave until during the second calendar year following the one in which he became eligible for the home leave. However, the Head of Institution may, in exceptional circumstances and subject to the exigencies of the service, decide that a staff member's home leave should be deferred beyond the calendar year during which the staff member becomes eligible for the leave. In such a case, the date of the next home leave shall remain unchanged, provided that the service of the staff member shall continue at least twelve months beyond the date of his return from the deferred home leave before he can earn another home leave.

medical attention, sick leave may be granted by any qualified doctor.

(c) Staff members are required to inform their superior officers as soon as possible about any absence from work due to illness or accident.

(d) A staff member holding a contract or temporary appointment for less than one year shall be granted sick leave at the rate of two working days per month.

(e) A staff member holding a probationary or contract appointment of one year or longer shall be granted sick leave of up to two (2) months on full salary and two months on half salary in any period of twelve (12) consecutive months, provided that the length of sick leave permitted in any three consecutive years shall not exceed six months, three months on full salary and three months on half salary.

(f) A staff member who holds a permanent appointment shall be granted sick leave up to three months on full salary and three (3) months on half salary in any period of twelve consecutive months, provided that the length of sick leave permitted in any three consecutive years shall not exceed twelve months, six months on full salary and six months on half salary.

(g) Where a staff member has overspent the number of months of sick leave allowed in this Article as is relevant to him, the staff member shall be sent to a medical board by the Head of Institution with a view to determining whether or not the staff member should be temporarily or permanently invalided. The Head of Institution will take action to pay all entitlements to a staff member recommended for permanent invaliding. A staff member temporarily invalided will be regarded thereafter as being on leave without pay for another three months. If he is still considered unfit to work after three months period, he should be permanently invalided.

(h) Where it is medically certified that the professional ability of a staff member has been reduced as a result of illness, accident or disability, the Head of Institution may propose to the staff member a new post appropriate to his reduced professional ability, on the basis of a report from an approved physician.

(i) Except with the approval of the Head of Institution, no staff member may be granted sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner designated by the Community Institutions to the effect that he is unable to perform his duties and stating the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the fourth working day following the initial absence from duty of the staff member.

(j) Medical Evacuation

(i) When, due to illness or serious accident, it becomes necessary for a staff member or his eligible dependents to leave the duty station for diagnosis or treatment, the authorisation to travel at the Community's expenee shall be granted by the Head of Institution on the recommendation of the ECOWAS Medical Board or, in the absence of the Board, a group of at least two doctors appointed and approved by the Head of Institution. The ECOWAS Medical Board or the group of doctors shall ascertain that facilities for diagnosis and treatment are not available locally. However, when the life of a staff member or a dependent is in serious danger or when specialised medical examination is needed urgently in order to diagnose a difficult case, medical evacuation may be exceptionally approved by the Head of Institution or any other person duly authorised on his behalf.

(ii) Sick leave shall start on the day the staff member is evacuated for medical reasons and end when the staff member is fit to resume duty.

(iii) Where a staff member or his eligible dependent is treated as an ambulant patient, he shall be entitled to perdiem at the rate applicable in the country of treatment for a period not exceeding three (3) months, except in cases where the country is his usual place of residence. The Head of Institution may, in exceptional cases and on the recommendation of the Medical Board, authorise the extension of this period. The period during which the perdiem is paid shall however not exceed the maximum period authorised for sick leave.

(iv) The Head of Institution may also, on

medical advice, authorise payment of travel expenses for a doctor, a nurse or any member of the family of a staff member to accompany a sick staff member or his dependent. In the case of a doctor or a nurse, the authorisation shall cover the expenses of the round-trip journey and the minimum number of days the doctor or nurse may need to stay in the country of treatment. In the case of a member of the staff member's family, the Head of Institution may authorise payment of per diem, in addition to travel expenses, if the staff member or his sick dependent is hospitalised and if the family member accompanying him needs to stay in a hotel.

(v) Where, following his return from the place outside the duty station where he had received special treatment, a staff member or his eligible dependent needs to go back for further examination and treatment, the Medical Board or the group of doctors approved by the Head of Institution shall decide whether it is necessary for the staff member or his dependent to return to the place of treatment or whether his case can be handled satisfactorily in the duty station.

**ARTICLE 36 : MATERNITY AND PATERNITY LEAVE**

(a) A female staff member who, at the time of confinement, has put in one year of continuous service shall, upon presentation of a certificate from a qualified doctor, be entitled to maternity leave on full salary for a period of fourteen (14) weeks, six (6) weeks before and eight (8) weeks following confinement.

(b) A female staff member who, at the time of confinement, has put in less than one (1) year of continuous service, shall be entitled to take her annual vacation leave and shall, at her request, also be granted special leave without pay for the other days of absence from werk.

(c) A male staff member shall, in accordance with the provisions of paragraph (a) of this Article, be entitled to three (3) working days' paternity leave on full pay at the time of his wife's confinement.

**ARTICLE 37 : ENTITLEMENTS IN CASES OF ILLNESS, ACCIDENT OR DEATH WHILE IN THE SERVICE OF THE COMMUNITY**

Staff members who die or are involved in an accident or become ill while in the service of the Community shall be entitled to indemnification. The general conditions and modalities for the payment of the indemnification shall be determined by the Executive Secretary and approved by the Council of Ministers on the recommendation of the Administration and Finance Commission.

**ARTICLE 38 : MEDICAL EXPENSES**

(a) Staff members shall be entitled to such medical benefits as provided for in the regulations governing reimbursement of medical expenses.

(b) Medical expenses incurred by staff members shall be reimbursed at a rate and under conditions set out in the regulations in force.

**ARTICLE 39 : REPATRIATION OF CORPSES**

(a) Upon the death of a staff member or his dependent, the Community shall pay the expenses of transporting his body from where he died to his home town.

(b) The expenses shall include the cost of the coffin, the undertaker's fees, and an appropriate sum for embalming the corpse.

(c) Upon the death of a staff member, the Community shall also bear the cost of the return journey of the spouse or a close relative who has lived with the staff member at this duty station, to enable them to accompany the corpse. The Head of Institution and staff representatives shall send a delegation of at most three representatives to express the condolences of the Community. The travel expenses and the per diem of the members of the delegation shall be borne by the Community.

(d) Where death is outside the duty station, the Head of Institution shall appoint one member of the delegation to travel to the place of death to arrange for the repatriation of the body.

(e) In the case of the death of a person dependent on a staff member outside the duty station, the Community shall pay the travel expenses of the member of staff on the shortest and fastest route to and from the place of death.

**ARTICLE 40 : STAFF PROVIDENT FUND**

(a) All permanent staff members in the professional and locally recruited categories shall adhere to the staff Provident Fund on assumption of duty at ECOWAS.

(b) The resources of the provident fund shall be made up as follows :

(i) 17.5% of the basic monthly salary of staff members, 12.5% of which is contributed by the employer while the remaining 5% is contributed by the staff member;

(ii) Interests and other products generated through the placement of the funds.

(c) A staff member who contributes to the Provident Fund shall, on separation from service, be paid the balance in his favour after deducting whatever sums he may be owing.

**ARTICLE 41 : AFFILIATION TO A SUPERANNUATION SCHEME**

(a) Staff members shall have the right to adhere to one of the following superannuation schemes :

(i) CRRAE in the case of professional staff

(ii) RCPNC in the case of locally recruited staff.

(b) Where a staff member decides to contribute both to the Provident Fund and to the Superannuation Scheme, the Community shall pay its contribution of 12.5% of the staff member's basic monthly salary to only one of the schemes.

**ARTICLE 42 : ACCIDENT AND GROUP LIFE INSURANCE**

The Community shall subscribe to an accident and a group life insurance policy for all its staff members.

The Head of Institution shall negotiate the terms and conditions for the insurance policies.

## CHAPTER VIII
## TRAVEL

**ARTICLE 43 : TRAVEL EXPENSES**

***"Travel expenses"*** as used in these Regulations shall cover :

(a) Tickets;

(b) Authorised excess baggage;

(c) Airport tax.

**ARTICLE 44 : AUTHORITY FOR TRAVEL**

Before any travel paid for by the Community is undertaken by a staff member or his dependent, it shall be authorised in writing by the Head of Institution or his representative. A staff member shall be personally responsible for ascertaining that he has the proper authorisation before commencing travel.

**ARTICLE 45 : TYPES OF TRAVEL**

Subject to the provisions of these Regulations, the Community shall pay the travel expenses of staff members in the following cases :

(a) during official missions undertaken on behalf of the Community;

(b) on initial appointment, between the home town of a staff member or the place he was residing when he was recruited and the duty station;

(c) during transfers or change of duty station; during home leave, return ticket for travel between the international staff member's duty station and the place indicated in the letter of appointment as the staff member's home town, or any other authorised place;

(d) during annual leave : round-trip for international staff members whose home country is the country of their duty station, between their duty station and their home towns;

(e) on separation from duty, between the duty station and the place officially recognised as the place of residence of the staff member or any other authorised place;

(f) for medical reasons, in accordance with the provisions of Article 35 of these regulations; for security reasons, and for any other special reasons authorised by the Head of Institution.

**ARTICLE 46 : ROUTES, MODE OF TRANSPORT AND CONDITIONS OF TRAVEL**

(a) Staff members going on authorised missions shall travel on the route, by the mode of transport

and under the conditions approved in advance by the Head of Institution. The route followed shall normally be the shortest possible and cheapest route.

(b) When travel is by air, the Heads of Institution and their spouses shall travel first class. The other statutory appointees and their spouses shall travel business class while other staff members shall travel economy class.

(c) Dependents of the other statutory appointees and those of staff members shall travel economy class.

(d) The Executive Secretary shall determine when and under which conditions the Community shall pay for excess baggage, including for the transportation of documents, machines and other equipment, particularly during conferences and meetings organised by or in collaboration with ECOWAS.

(e) On their return from a mission, staff members shall hand over to the Community any amount they received as refund for tickets not used or for travelling in a class lower than that paid for by the Community.

(f)

(i) Where a staff member is authorised to use his own means of transport during an official mission, he shall be paid a mileage allowance at a rate determined by the Executive Secretary. The Community shall however not be liable for the use of a staff member's private vehicle.

(ii) Where several staff members travel in the same private vehicle while on an official mission, only the owner of the private vehicle shall be entitled to the mileage allowance.

(iii) The provisions of paragraph (ii) above shall apply only when the authorised travel covers a distance of fifteen kilometres or more.

**ARTICLE 47 : TOURING ADVANCE AND RETIREMENT OF ADVANCES**

(a) Statutory appointees when they are out on missions not being missions to attend statutory meetings of Commissions, Board of Directors of the Fund, Council and Authority, shall be entitled to a touring advance to cover local transport expenditure, official entertainment and related expenses. The ceiling to the amount of advance to be taken on each such mission shall be determined by the Council of Ministers on the recommendation of the Administration and Finance Commission. All touring advances must be accounted for within 7 days of return from the mission. No touring advance may be issued if any previous advance has not been retired and accounted for.

(b) Where the exigency of the service prevents a statutory appointee from requesting for or receiving the allowable advance or receives less than the allowable advance under paragraph (a) of this Article before undertaking a mission, he shall be reimbursed up to the maximum of the sum authorised by the Council of Ministers.

(c) Staff members, other than statutory appointees on missions, not being missions to attend statutory meetings of Commissions, Board of Directors of the Fund, Council or Authority shall be entitled to a refund of expenses to cover local transportation expenses and airport taxes.

**ARTICLE 48 : DAILY SUBSISTENCE ALLOWANCE**

(a) Staff members travelling on official missions shall be entitled to perdiem allowance at the fixed rates for the areas they are visiting, during their journey and period of their stay, including the period considered as sick leave, but excluding the period a staff member spends on a journey he undertakes on his own initiative and which is not on the shortest route.

(b) Staff members authorised to travel at the Community's expense for medical reasons shall, in accordance with the provisions of Article 35 (j) of these Regulations, be entitled to perdiem allowance as provided for in that Article. Staff members authorised to travel at the Community's expense for security reasons or for any other special reason provided for in Article 45 of these Regulations shall be entitled to perdiem allowance under conditions to be determined by the Head of Institution.

**ARTICLE 49 : TRAVEL ON INITIAL APPOINTMENT**

The Community shall pay the travel expenses of an international staff and his eligible dependents from his

country of origin, his usual place of residence, or the place he was residing when he was appointed, to the official duty station on initial appointment, provided that his appointment is for at least one year.

**ARTICLE 50 : TRAVEL ON SEPARATION FROM SERVICE**

(a) The Community shall, in accordance with the provisions or Articles 21, 22 and 23 of the Staff Rules, bear the travel expenses of an international staff member and his eligible dependents from his duty station to his country of origin or any other place not necessitating additional expenses on separation from service, provided that he has completed at least one year of continuous service to the Community.

(b) An international staff member who resigns before completing one year of service or within six months following the date of his return from home leave shall not be entitled to return travel expenses for himself or his dependents, except where the Head of Institution is convinced that there are sufficient reasons to authorise such payment.

(c) International staff members and their eligible dependents shall lose their entitlement to return travel if travel is not commenced within three months after the date of payment of entitlements. Without prejudice to the above, the Head of Institution may in exceptional cases extend the period.

(d) In the case of a professional staff member holding a special contract appointment for a period of less than one year, the Community shall pay the travel expenses of the staff member upon the completion of the mission specified in his letter of appointment.

**ARTICLE 51 : SHIPMENT OF PERSONAL AND HOUSEHOLD EFFECTS**

Subject to the limits set out below, personal and household effects shall be shipped or transported by land (including by rail) at the Community's expense by the most economical means, in accordance with the following provisions:

(a) Excluding the weight of any automobile, the maximum net weight allowances for any surface shipment or transportation by land (rail inclusive) which includes the weight of packing material but not lift van, crate or other type of container will be:

(i) Statutory appointees : 7,500 kg net

(ii) International staff member relocating with eligible dependents : 5,000 kg net

(iii) International staff member relocating alone : 3,182 kg net.

(b) Where an international staff member elects that his personal effects be airfreighted, he shall be entitled to the limit of his entitlement payable when the freighting is done by the most economical means.

(c) If, however, because of circumstances due to no fault of his own, his personal effects cannot be transported by the most economical means, the Community shall be responsible for the full cost of the air freight in accordance with the provisions of this Article.

(d) In addition to the surface allowance set forth above, one airfreight shipment will be authorised up to 91 kg gross for the staff member travelling by air and 45 kg gross for each eligible dependent travelling by air.

(e) The surface shipment will be made normally in one consignment. In exceptional circumstances, such as when the place of recruitment is different from the place of normal residence, an exception may be authorised by the Head of Institution provided the total of all shipment does not exceed the limits set forth above.

(f) Shipment of Automobiles

A professional staff who, on appointment and on separation from service owns an automobile, may have the automobile shipped uncrated at the Community's expense, provided the staff member was not dismissed or did not resign his appointment.

(g) Storage

Charges for storage or personal property will be paid where such charges arise directly from circumstances which are not part of the process of shipment and payments for storage and handling will normally be limited to cover a period not exceeding 90 days. This period may be

extended in exceptional circumstances by the Head of Institution.

(h) Removal costs will be paid to international staff members who are expected to serve for one year or longer in the following circumstances :

(i) on initial appointment

(ii) upon separation from service provided that the staff member had completed at least one year of continuous service.

(i) The Community shall also meet the reasonable cost of the valuation and insurance of personal effects and household goods belonging to an international staff member and his dependents provided that the goods are insured by the staff member concerned.

## CHAPTER IX
## SEPARATION FROM SERVICE

### ARTICLE 52 : RESIGNATION

(a) A staff member may, in accordance with the provisions of Article 21 of the Staff Rules, resign from the service of the Community upon giving the Head of Institution written notice as follows :

(i) three (3) months notice by staff having permanent appointments;

(ii) thirty (30) days' notice in all other cases.

(b) The Head of Institution may, however, accept resignation on shorter notice.

(c) If upon resignation, a staff member has accrued an annual vacation leave, he shall be paid in lieu thereof a sum of money equivalent to his salary for the period of such accrued leave up to a maximum of ninety working days.

(d) Where a staff member separates from service before the expiration of the notice without the authorisation of the Head of Institution, the Community shall deduct from the entitlements due to the staff member an amount equivalent to the salary and allowances, the staff member would have received up to the date of expiration of the notice.

### ARTICLE 53 : TERMINATION OF APPOINTMENT

(a) The Head of Institution may terminate the appointment of a staff member for any of the reasons set out in Article 22 of the Staff Rules, by giving three months written notice if the staff member holds a permanent appointment and one month's notice if the staff member holds a fixed term appointment and has not been confirmed. The Head of Institution may terminate the appointment of a staff member on a fixed term contract whose appointment has not been confirmed by giving a month's notice at any time during the staff member's probationary period for any of the reasons set out in Article 22 of the Staff Rules or without notice at the end of the probationary period if the appointment has not been confirmed under the conditions spelt out in Article 19 (a) and (b) of these Regulations.

(b) The Head of Institution may also terminate the appointment of a staff member holding a fixed term contract appointment before the expiration of the contract for any of the reasons set out in his letter of appointment.

(c) The appointment of a staff member may be terminated only after the case of the staff member has been examined by the Joint Advisory Committee on Appointments, Promotions and Discipline of Professional staff or the Advisory Committee on Appointments, Promotions and Discipline of locally recruited staff as the case may be and after the relevant committee has submitted its report to the Executive Secretary, in accordance with the provisions of Article 19 of these Regulations.

(d) A proposal to terminate the appointment of a staff member for unsatisfactory performance shall be made to the Joint Advisory Committee on Appointments, Promotions and Discipline only where the staff member, having received a written warning, still performs below expectation. In such a case, the recommendation to terminate the appointment of the staff member shall be submitted through the normal administrative channels. The Advisory Committee shall ensure that the staff member concerned is given the opportunity to answer the charges against him before reaching a decision on the case and submitting its recommendation to the Executive Secretary.

(e) Where the appointment of a staff member is terminated without notice, the Executive Secretary may authorise payment of an amount calculated on the basis of the salary and allowances that would have been due to the staff

member if he had remained in service up to the end of the period that would have been covered by the notice.

(f) Retirement and non renewal of a fixed term contract appointment shall not be considered as termination of appointment.

(g) A staff member who is dismissed shall not be entitled to his benefits under the provisions of these Regulations.

**ARTICLE 54 : RETIREMENT**

(a) Compulsory Retirement

(i) Staff members shall, in accordance with the provisions of Article 23 of the Staff Rules, retire from service on the last day of the month of their sixtieth (60th) birthday.

(ii) Staff members who have served the Community continuously for thirty (30) years shall be required to retire.

(b) Voluntary Retirement

Staff members who have served for a period of thirty (30) years or have attained the age of fifty-five (55) may retire from the services of the Community.

**ARTICLE 55 : FINANCIAL OBLIGATIONS AND ENTITLEMENTS UPON SEPARATION FROM SERVICE**

(a) A staff member separating from the services of the Community for any reason shall be required to reimburse any sums he may be owing and any financial loss suffered by the Community as a result of his negligence or his having violated any regulation, rule or administrative instruction.

(b) If upon resignation from service, a staff member has accrued leave, he shall, in accordance with the Provisions of Article 32 of these Regulations, be paid in lieu thereof a surh of money equal to his salary or wages for the period of such accrued leave up to a maximum of ninety (90) working days.

(c) The conditions under which the appointment of a staff member holding a permanent appointment or a fixed term contract appointment may be terminated and the retirement benefits he shall be entitled to are set out in Article 53 of these Regulations.

(d) A contract officer shall be paid a gratuity of 12.5% of his basic annual salary for each year of service at the time of separation from service.

(e) Should a contract officer die of natural causes while in the service of the Community, his next of kin shall be paid the gratuity that would have been due to the officer for the period for which he has served. If death is a result of accident in the service of the Community, the death gratuity shall be twice the annual basic salary.

**ARTICLE 56 : CRIMINAL CHARGES AGAINST STAFF MEMBERS**

(a) A staff member charged with any criminal offence other than a minor traffic violation or similar offence shall immediately report the case to the Head of Institution, in accordance with the provisions of Article 17 of these Regulations.

(b) Where a staff member has been charged with a serious offence and that the maintenance of such a staff member at his post may be prejudicial to the interests of the Community or the investigations, the Executive Secretary may suspend such a staff member from his duties until the results of the investigations are known. However, such suspension shall be on full pay.

(c) A staff member who is accused of a criminal offence or who has been charged to court for a serious office shall be suspended if it is in the interest of the Community that such a staff member should stop exercising his functions. A staff member suspended under these conditions shall be paid half of his monthly salary. Such a staff member shall stop exercising his functions and keep away from his working place. The staff member shall not leave his duty station without written authorisation from the Head of Institution for the duration of the investigations or the trial.

(d) Where the staff member is acquitted at the end of the trial, he shall be allowed to resume work and shall be paid the part of his salary and allowances that had been withheld.

(e) Where the staff member is found guilty, the Executive Secretary shall, in consultation with the Joint Advisory Committee on Appointments, Promotions and Discipline of professional staff

and the Advisory Committee on Appointments, Promotions and Discipline of locally recruited staff, study the court ruling and decide whether or not the appointment of the staff member should be terminated in accordance with the provisions of Article 24 (e) of the Staff Rules or whether disciplinary action should be taken against the staff member in accordance with the provisions of Article 28 of the Staff Rules, and take appropriate action.

## CHAPTER X
## ADVISORY BODIES ON STAFF MATTERS

### ARTICLE 57 : JOINT ADVISORY COMMITTEE ON APPOINTMENTS, PROMOTIONS AND DISCIPLINE OF PROFESSIONAL STAFF

(a) The Joint Advisory Committee on Appointments, Promotions and Discipline of professional staff shall be composed of :

(i) Deputy Executive Secretary (Administration & Finance);

(ii) Deputy Executive Secretary (Economic Affairs);

(iii) Deputy Managing Director of the Fund;

(iv) Financial Controller;

(v) Directors of Administration of the Secretariat and the Fund;

(vi) Directors of Legal Affairs of the Secretariat and the Fund;

(vii) The Head of Department concerned;

(viii) Two (2) elected representatives of the professional staff of the Fund;

(ix) Two (2) elected representatives of the professional staff of the Secretariat

(b) The Chairman of the Advisory Committee shall be either the Deputy Executive Secretary (Administration & Finance) or the Deputy Managing Director of the Fund.

(c) The Secretary of the Advisory Committee shall be the Personnel Officer of the Secretariat and of the Fund. The Secretary has no right to vote.

(d) The quorum of the Committee shall be seven members, which shall include at least two (2) statutory appointees and one staff representative.

(e) The Committee shall examine the applications of candidates having the required qualifications for each post to be filled. It shall ensure that, in accordance with Article 13 (c) of the Staff Rules, due regard is given to the requisite qualifications and experience of persons already in the service of the Community. It shall seek the opinion of the Department concerned and, on the basis of the criteria spelt out in Article 13 of the Staff Rules, submit its recommendations to the Executive Secretariat after interviewing the candidates.

(f) The Committee shall examine all cases of proposals for measures to be taken in connection with professional staff on (probation, confirmation, extension of probation period, termination of appointment). It shall also examine cases for renewal of fixed term contracts, periodical salary increases not involving promotions, accelerated promotions, termination of appointment for any of the reasons set out in Article 24 of the Staff Rules, and any other proposals concerning the administrative situation of staff members brought before it.

Finally, the Committee shall examine all cases of discipline leading to the sanctions provided for in Article 63 of these Rules.

(g) The Committee shall have the powers to establish sub-committees to examine special cases or special categories of cases. The reports of the sub-committees shall be submitted to the full Committee.

(h) The Committee or its subsidiary bodies shall have the powers to convene before it, a staff member whose testimony may prove useful in determining the case before it.

(i) All decisions pertaining to appointments, promotions and disciplinary measures against professional staff shall be taken by the Head of Institution, on the recommendation of the Joint Advisory Committee. The decisions of the Head of Institution and the report of the Joint Advisory Committee shall be communicated to Member States within thirty (30) days of such decisions and report being adopted.

(j) The Committee shall meet as often as necessary,

when convened by its chairman. It shall draw up its own rules of procedure.

**ARTICLE 58 : JOINT ADVISORY COMMITTEE ON APPOINTMENTS, PROMOTION AND DISCIPLINE OF LOCALLY RECRUITED STAFF**

(a) The Joint Advisory Committee on Appointments, Promotions and Discipline of Locally Recruited Staff is composed of :

(i) Director of Administration, Chairman;

(ii) Two other Directors, including the Legal Adviser;

(iii) Director of Audit;

(iv) Two representatives of the locally recruited staff.

(b) The Secretary of the Committee shall be the Personnel Officer in the institution concerned. He shall have no voting rights.

(c) The quorum at any meeting of the committee shall be three members, and must include the Chairman, another Director and one staff representative.

(d) The functions of the committee of the locally recruited staff shall be the same as those of the Joint Advisory Committee on Appointments, Promotions and Discipline of the professional staff.

(e) The committee shall adopt its own rules of procedure.

**ARTICLE 59 : MEDICAL BOARD**

(a) The Medical Board shall be composed of three physicians, two of whom shall be appointed by the Head of Institution from amongst the Community's accredited physicians. The third physician shall be the person who has treated the staff member whose case is before the Board.

(b) For each individual case, the Board shall elect one of its members as Chairman.

(c) The Board shall consider all matters referred to it by the Heads of Institution relating to the case of prolonged illness; termination on medical grounds, illness, accidents, death while on active service, resumption of duty following a period of disability or protracted illness, medical evacuation, etc.

(d) The proceedings of the Board are strictly confidential. Its conclusions or recommendations shall be submitted to the Head of Institution.

(e) Where the findings of the Board are contested by the staff member in question or by the Head of Institution, the Board shall re-examine the matter and shall be assisted in this exercise by two other physicians licenced to practice in the country of the duty station. One of these two physicians shall be chosen by the Head of Institution and the other by the staff member concerned. The decisions of this expanded board shall, if necessary, be taken by majority vote. Such decision shall be final, without prejudice to the right of a staff member to exercise his right referred to in Article 27 of the Staff Rules with respect to any administrative measure which might be taken in application of the recommendations of the Medical Board.

(f) The remuneration of the Medical Board shall be fixed by the Head of Institution.

## CHAPTER XI
## DISCIPLINE

**ARTICLE 60 : DISCIPLINARY PROCEDURE**

(a) Before a staff member is summoned before the Joint Advisory Committee on Appointments, Promotions and Discipline to face disciplinary action, he must first have been issued a query by his immediate superior officer and have been given 48 hours within which to respond.

(b) Where, upon receiving the written statement from the staff member, or at the expiration of the deadline given to him to reply, it becomes necessary to apply one of the disciplinary sanctions set out in Article 63 (b) of these Regulations, a report shall be made to the Head of Institution, through official channels, setting out the accusations being levelled against the staff member and stating disciplinary measures envisaged. The reply furnished by the staff member concerned shall be attached to the report.

(c) Where the Head of Institution considers the proposed disciplinary action justified, he shall

notify the Joint Advisory Committee on Appointments, Promotions and Discipline of professional staff or of the locally-recruited staff as the case may be.

(d) Where, conversely, one of the sanctions enumerated in Article 63 (a) of these Regulations is applicable, such sanction shall be applicable immediately by the immediate superior officer without the need to convene the Committee. In such cases, the sanction is immediately brought to the notice of the staff member concerned. The superior officer shall make a report of the matter to the Head of Institution through official channels.

(e) Where the Head of Institution is of the opinion that a serious offence has been committed, and that the continued maintenance of the staff member is such as may be injurious to the interests of the Community or the investigations, the Head of Institution may suspend the staff member pending the time a final decision is taken. Such suspension shall not occasion cessation of salary and does not in any way affect the staff member's rights and is not to be considered as a disciplinary measure. Throughout the period of his suspension, the staff member shall not leave the region of his duty station without approval from the Head of Institution.

(f) The Head of Institution shall notify the Committee of the matter and a meeting of the Advisory Committee shall be convened by the President of the Committee.

(g) The accusations levelled against the staff member and his reply, as well as all other relevant papers shall be communicated to the members of the Committee and to the staff member concerned. They shall be given adequate time to acquaint themselves therewith bearing in mind however the need for the Committee to act with utmost dispatch. Confidential papers shall be communicated to the Chairman of the Committee.

(h) The deliberations of the Committee shall be considered as valid in respect of disciplinary matters only where two thirds of its members including the staff representatives are present.

(i) The procedure shall consist in a presentation of the accusations, the facts of the matter, denials regulations either written or oral or both.

(j) The staff member may use the services of a lawyer, at his own expense, or may be assisted by another staff member of his choice who shall not be a member of the Committee.

(k) The Committee may hear the deposition of the staff member concerned, his lawyer or the staff member he chooses to assist him. The Committee may also listen to all other persons whose contribution may help to uncover the truth.

(l) The Committee shall take decisions by a sample majority of its members. Its report shall be signed by all members present and shall contain its conclusions and its recommendations to the Executive Secretary as to which disciplinary measure should be applied, if necessary.

The Committee shall also justify its decision in the report which shall also contain any dissenting opinion.

The Chairman of the Committee shall present the report to the Executive Secretary.

(m) All members of the Committee shall observe the strict confidentiality with regard to the deliberations, both during and outside meetings.

(n) The staff member concerned and the members of the Committee shall be notified of the Executive Secretary's decision within fourteen days of his submission of the report. The staff member may exercise his right of recourse to contest the decision of the Executive Secretary, in accordance with Article 29 of the Staff Rules.

**ARTICLE 61 : DISCIPLINARY PROCEDURE WITHIN THE ADVISORY ORGANS**

The Advisory Committee on Appointments, Promotions and Discipline of locally-recruited staff shall, in their deliberations adopt the same procedure as the Advisory Committee on Appointments, Promotions and Discipline of Professional Staff. The former may recommend measures referred to in Article 63 of these Regulations, after due consideration of the reproaches against the staff members in the light of the offences enumerated under Article 62 below.

**ARTICLE 62 : OFFENCES PUNISHABLE BY SANCTIONS**

(a) The following shall constitute an offence punishable by the sanctions enumerated in paragraph 63 (a) :

(i) frequent lateness to work

(ii) poor performance of duties

(iii) unauthorised and unjustified absence from work

(iv) absence without reason or for an unduly long period of time

(v) insubordination

(vi) use of insulting or provocative language

(vii) unauthorised trading within the premises of the institution

(viii) unjustified prolongation of paid leave

(b) The following offences shall attract sanctions set out in Article 63 (b) of these Regulations:

(i) use of threats

(ii) outrage

(iii) dissemination of literature, petitions, posters or graffiti on equipment or buildings belonging to the institution

(iv) blatant indiscipline

(v) absence despite refusal of a superior officer to authorise same

(vi) instigating other staff members to disobedience

(vii) embezzlement, theft, abuse of trust detrimental to the interests of the Community

(viii) fraud, bribery

(ix) assault and battery on the person of a colleague or superior officer

(x) fighting within the premises of the institution

(xi) divulging professional secrets or communication of documents to unauthorised persons

(xii) unauthorised acceptance of favours remunerations incompatible with the obligations and duties of staff to the Community

(xiii) refusal to answer a query

(xiv) several offences attracting several sanctions contained in Article 63(a)

(xv) commission of another offence by a staff member within one year of the application against him of any of the sanctions set out in Article 63 (b) of these Regulations.

(c) The list of offences set out in paragraphs (a) and (b) above is not exhaustive. Any conduct or behaviour which violates the provisions of the Staff Rules and Regulation or any infringement or breach of same shall also constitute an offence punishable by any of the sanctions referred to in Article 63 (b).

(d)

(i) The gravity of the offence committed shall be determined in relation to the surrounding circumstances, the person and function of the officer concerned and the place where the offence was committed.

(ii) Any offence shall attract disciplinary action, the gravity of which shall be in proportion to the nature thereof and the frequency with which it recurs.

**ARTICLE 63 : SANCTIONS**

Disciplinary sanctions shall be of two kinds :

(a) First degree sanctions

(i) Warning, (oral or written) and reprimand.

(ii) First degree sanctions can be applied against a staff member by his immediate superior officer or by any other superior officer.

(b) Second degree sanctions

(i) These can be : censure, suspension of

incremental benefits, suspension without pay, demotion, summary dismissal.

(ii) All instances of censure shall be entered into the personal file of the staff member. The suspension of incremental benefits means the withholding of incremental benefits shall constitute for one year. It shall take effect from the date at which the staff member has had put in the number of years required for promotion. Suspension without pay, where the staff member ceases to carry out his duties and where his salary and allowances are withheld shall be for a maximum period of ten working days. Demotion means that a staff member is downgraded by one or more steps. A staff member shall only be demoted to a lower grade. A staff member whose appointment is terminated shall have no claims to severance pay.

(c) The Executive Secretary in applying sanctions, must give reasons therefor and may cause the decision and the reasons given to be made public. A record of the sanction taken shall be entered in the staff member's individual file as shall, if necessary, all opinions and recommendations of the Advisory Committee and all other related papers and documents.

**ARTICLE 64 : PROLONGED ABSENCE WITHOUT OFFICIAL LEAVE**

Any staff member who absents himself from work without official leave shall be liable to face disciplinary measures as contained in Article 26 of the Staff Rules. In this regard, a letter shall be sent by registered mail to a staff member who has been absent from his post for five days, addressed to his last known place of residence, and ordering him to return to work and to furnish satisfactory reasons for his absence. Where the staff member fails to respond after fifteen (15) days, he shall be sent a second registered letter informing him that disciplinary sanctions may be taken against him, in application of Article 63 of these Regulations. If after another fifteen days, no reply is received from the staff member concerned, disciplinary action shall be initiated against him in his absence which in the absence of any extenuating circumstances, shall culminate in the termination of his appointment for abandonment of post.

## CHAPTER XII
## RIGHT OF APPEAL

**ARTICLE 65 : PROCEDURE FOR APPEAL**

(a) Any member of staff who wishes to appeal against sanctions imposed on him must first write a letter to the Executive Secretary, requesting a review of his case. The letter shall be sent by registered mail within thirty days of receiving notification of the decision, where the staff member's duty station is outside the headquarters. If the Executive Secretary maintains the decision or if the staff member receives no response from the Executive Secretary within thirty days, he shall have another period of thirty days within which to bring the matter to the notice of the Council of Ministers. This shall be done through the staff representatives who shall present a memorandum in this connection to the Administration and Finance Commission.

(b) All action shall be suspended on the decision to apply sanctions once the right of appeal is invoked.

## CHAPTER XIII
## FINAL PROVISIONS

**ARTICLE 66 : ENTRY INTO FORCE**

These Regulations are subject to adoption by Council of Ministers. They shall enter into force in accordance with the provisions of the Treaty governing entry into force of regulations.

**ARTICLE 67 : AMENDMENTS**

The provisions of these Regulations may be supplemented or amended by the Council in accordance with Article 30 of the Staff Rules.

**ARTICLE 68 : LANGUAGE OF PUBLICATION**

These regulations shall be published in the working languages of the Economic Community of West African States.

## REGULATION C/REG.5/12/99 ADOPTING THE ECOWAS TENDER CODE

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the Financial Regulation and Manual of Accounting Procedure of the Economic Community of West African States adopted by Decision C/DEC/4/11/89 dated 30th November, 1989;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of the Economic Community of West African States as amended by Regulation C/REG.2/12/95;

CONSIDERING that the provisions of the aforementioned Regulations do not cover the full scope of contract award or take adequate account of its complex nature;

CONVINCED that ECOWAS needs to institute contract award procedures which are simple and which reflect the principles of transparency, competition, and equitable and fair participation by all enterprises and compahies in Member States;

ON THE RECOMMENDATION of the fourth meeting of Ministers of Justice which took place in Abuja on 25th and 26th October, 1999;

**ENACTS**

**Article 1**

The Tender Code of the Economic Community of West African States is hereby adopted as attached in annex to this Regulation.

**Article 2**

Articles 24 and 25 of Regulation C/REG 4/11/89 dated 30th November, 1989 establishing the Financial Regulation and Manual of Accounting Procedures, and Articles 29 and 30 of Regulation C/REG 2/12/95 amending the said Financial Regulation are hereby abrogated.

**Article 3**

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty days of 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 LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

# THE TENDER CODE

**EXECUTIVE SECRETARIAT,**

**LOME, DECEMBER 1999**

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**RECOMMENDATIONS AND MEASURES SUPPLEMENTAL TO THE APPLICATION OF THE ECOWAS TENDER CODE**

**I. RECOMMENDATIONS**

**II. CAPACITY BUILDING**

## ECOWAS TENDER CODE

**EXECUTIVE SECRETARIAT,**

**DECEMBER 1999**

**PREAMBLE**

**THE COUNCIL OF MINISTERS,**

MINDFUL of the revised Treaty of the Economic Community of West African States (ECOWAS);

MINDFUL of the ECOWAS Financial Regulation and Manual of Accounting Procedures;

CONSIDERING that the Financial Regulations of the Institutions of the Community, notably Articles 24, 25, 29 and 30 make a general presentation of the principles underlying the procurement of goods and services;

CONSIDERING that not all procurements are the subject of an award of contract;

CONSIDERING however the need to regulate the award, execution and monitoring of contracts concluded by the Community;

**ADOPTS**

The present Regulation establishing an ECOWAS Tender Code

**DEFINITIONS**

In the present Code:

**"The contract winner"** means the company, enterprise, consulting firm or natural person chosen to execute a contract.

**"Notice of a call for competition"** means all advertisements in relation to contracts; public invitation for applications or call for bids issued for the purpose of notification that a competition is being organised for the award of a contract.

**"Head of Institution"** means the person who, by virtue of his functions, is empowered to commit the Institution.

**"Community"** means the Institutions of the Community which have authority to enter into contracts.

**"Co-contracting"** refers to a situation where the Community enters into a contract with several service providers who shall be referred or for the delivery of goods.

**"Contractor"** means the company, enterprise, consulting firm or natural person with whom the Community has entered into a contract.

## PART I
## GENERAL PROVISIONS

**ARTICLE 1 : SCOPE**

This Code sets out the rules governing the award, approval, and the execution and monitoring of contracts concluded by the Community and its Institutions.

**ARTICLE 2 : DEFINITION OF CONTRACTS**

Contracts are agreements set out in writing, awarded under the terms of the conditions contained in this Code between the Community or its Institutions and a natural or legal entity for the execution of works, delivery of supplies or provision of services.

**ARTICLE 3 : FINANCING OF CONTRACTS**

Contracts concluded by the Community or its Institutions may be financed from:

a) the general budget;

b) designated or own funds allocated for the purpose;

c) external funding;

d) autonomous budgets of the specialised organisations or institutions of the Community;

e) Any other special funds;

f) A combination of sources enumerated in this Article.

**ARTICLE 4 : CONTRACTS FINANCED FROM EXTERNAL FUNDS**

Contracts financed using external funds shall be governed by the provisions of this Code, provided they are not the subject of contrary provisions contained in the funding agreements.

**ARTICLE 5 : MINIMUM VALUE OF CONTRACTS**

1. All expenditure in respect of works, supplies and services with a value equal to or exceeding twenty-five thousand units of accounts shall be

the subject of an award of contract under the terms of the conditions set out in the present Code.

2. In other cases, expenditure shall be effected by purchase on the strength of invoices or bills.

3. Such expenditure must be the subject of informal competition involving at least three candidates.

**ARTICLE 6 : MULTIPLE CONTRACTS**

No contract or work being subject of Article 5 shall be split up to circumvent provisions of the Article on pain of sanctions as provided for in the Financial Regulations and Staff Rules.

**ARTICLE 7 : LANGUAGE OF THE CONTRACT**

All documents written, published, provided to tenderers and winners of contracts or produced by them shall, in accordance with Article 87(2) of the revised Treaty, be prepared in one of the working languages of the Community: English, French, Portuguese.

## PART II
## PROCEDURE FOR THE AWARD OF CONTRACTS

### CHAPTER 1
### INSTITUTIONS EMPOWERED TO AWARD CONTRACTS; PERSONS CHARGED WITH PREPARING CONTRACTS AND APPROVING AUTHORITIES

**ARTICLE 8 : INSTITUTIONS EMPOWERED TO AWARD OONTRACTS**

The institutions of the Community empowered to award contracts are:

a) The Community Parliament;

b) The Economic and Social Council;

c) The Community Court of Justice;

d) The Executive Secretariat;

e) The Fund for Cooperation, Compensation and Development;

f) West African Monetary Agency;

g) West African Health Organisation;

h) Any other permanent institution as may be established by the Authority.

**ARTICLE 9 : PERSONS RESPONSIBLE FOR PREPARING CONTRACTS**

Documents relating to a call for competition and contracts shall be prepared by the heads of the relevant service or technical department, in collaboration with the Director of Finance and, the Director of Legal Affairs of each Institution.

**ARTICLE 10 : AUTHORITIES EMPOWERED TO APPROVE CONTRACTS**

The head of each institution with powers to award contracts and, in the case of contracts awarded by the Tender Committee, the Chairman of Administration and Finance Commission, shall have powers, each in his own capacity, to approve contracts within the limits specified in Article 39 of this Code.

### CHAPTER II
### APPLICANTS, CONTRACTORS AND SUB-CONTRACTORS

**ARTICLE 11 : CRITERIA REQUIRED OF CANDIDATES AND TENDERERS**

Execution of contracts may be entrusted solely to enterprises, suppliers, or service providers with the necessary legal, technical and financial capability to do so.

The Community shall, in addition to the bids and tenders submitted by the candidates, demand that they show the following supporting documents:

1. All documents or papers showing evidence of the technical capability and solvency of the firms, suppliers or service providers, and the qualifications of staff empowered to commit the enterprise or firm and to enter into contract with the Community.

2. An attestation giving information on the applicants, in accordance with a model established by the Community.

3. The documents required under the terms of Article 1 above must include at least:

   - a statement of the firm's technical facilities both within the country of the contracting authority and in the firm's own country of domicile;
   - a description of the manpower (number and qualification) available to the firm

within the country of the contracting authority and in the firm's own country of domicile;

- financial statements, showing a balance sheet, statement of turnover and financing plans;
- a statement of similar contracts carried out by the applicant;
- documentary evidence of the Company's financial and corporate standing.

4. Misrepresentation in relation to the information required under this article may lead to the disqualification of an application or, the cancellation of the contract without warning, at the risk and expense of the declarant without prejudice to the imposition of sanctions applicable in such cases under the present code.

**ARTICLE 12 : EXCLUDED APPLICANTS**

1. Any firm, supplier, or service provider may be excluded from participation in or execution of a contract who:
   a. is distressed, bankrupt or being liquidated;
   b. has been guilty of professional misconduct;
   c. is guilty of misrepresentation in supplying the information in respect of qualifications and capabilities required;
   d. has been the subject of a cancellation by reason of fault or negligence in the execution of an earlier contract awarded by the Community;
   e. is in a situation of suspension of payment confirmed by the court for reasons other than bankruptcy by virtue of which its property is totally or partially attached.

2. The above provisions shall apply also to enterprises which tender or execute contracts as sub-contractors for a part of the contract.

**ARTICLE 13 : RIGHT OF PREFERENCE**

In awarding a contract, preference may be given to bids submitted by firms, suppliers or service providers from Member States of the Community, subject to the following provisions:

1. The tenders must comply with the specifications set out in the tender document;

2. In the case of works or services contracts, they must be of a value higher by at most ten percent than the qualified tender adjudged the lowest price tender submitted by a firm which is, or a service provider who is a non-member of the Community;

3. Where the contract is for supplies produced or manufactured in the member states of the Community, tenders must be for an amount not higher than by fifteen percent of the qualified lowest price tender, in relation to supplies from a non member states of the Community;

4. The documents in relation to a call for competition must indicate that such preference shall be applicable to the tender. The procedure for the application of this reference shall be contained in rules specific to that particular tender.

**ARTICLE 14 : BENEFICIARIES OF THE RIGHT OF PREFERENCE**

The following may enjoy right of preference:

- artisans and heads of individual enterprises having the nationality of one of the member states of the Community;
- professional groups constituted into a cooperative or in any other form and half of whose members have the nationality of countries of the Community;
- firms, the majority of whose share capital is held either by natural persons having the nationality of countries of the Community, or by legal persons, under law, of a country of the Community the majority of whose share capital is held by natural persons having the nationalities of countries of the Community.

**ARTICLE 15 : SUB-CONTRACTING**

1. Tenderers for Community contracts may be required to indicate in their tender, the references of any sub-contractors they may eventually use, and the nature and the amount of each share of the contract they may intend to sub-contract.

2. The tenderer awarded a Community contract may not sub-contract any share of the contract without obtaining clearance from the Community in respect of each sub-contractor he intends to use, and without obtaining approval by the Community of the conditions of payment for each sub-contracting agreement.

Approval of sub-contracting in no way diminishes from the obligations of the principal contract winner who shall remain responsible for the totality of the execution of the contract before the Community.

3. The share of the contract which may be sub-contracted shall net exceed 50%.

**ARTICLE 16 : CO-CONTRACTS OR GROUP CONTRACTS**

1. Several entrepreneurs, suppliers or service providers may be awarded a single contract jointly or severally. They shall appoint one of them to be the accredited representative in dealings with the Community and to carry out the task of coordination.

2. Where the contract is not split into lots or sections assigned to individual co-contractors, they shall be jointly responsible for the execution of the totality of the contract.

3. Where the contract is divided into lots or sections assigned to individual co-contractors, they may, depending on the terms of the contract, be responsible for the execution of only their own assigned lot or section, exception being made of the accredited representative who shall have joint responsibility with each of the co-contractors.

## CHAPTER III
## PROCEDURES FOR AWARD OF CONTRACTS

**ARTICLE 17 : THE DIFFERENT PROCEDURES FOR AWARD OF CONTRACTS**

Contracts may be awarded through an invitation to tender, open or restricted, or under a negotiated procedure by direct agreement, or through consultation in cases of providers of intellectual services.

**ARTICLE 18 : PREPARATION OF DOCUMENTS RELATING TO A CALL FOR COMPETITION**

Services that are subject to contracts must conform strictly to the nature and scope of the requirements.

The Community or the authority responsible for preparation of the document shall, before publishing a call for competition, prepare rules specific to the call for competition, as well as papers setting out the administrative, legal, financial and fiscal clauses, a detailed description of the nature of the services required and their technical specifications.

The technical standards and specifications set out in the documents relating to the call for competition shall comply with all the set criteria and shall contain no reference to trademarks or catalogue numbers.

The documents shall also detail all other factors which, in addition to prices, will be taken into account during the evaluation of bids, and specify the manner in which such factors will be quantified or evaluated.

**ARTICLE 19 : OPEN TENDERING PROCEDURE**

Open tendering procedures are those where any applicant who is not excluded by virtue of Article 12 of the present code may submit tenders.

**ARTICLE 20 : CONTENT OF PUBLIC NOTICE OF TENDER**

Public notice of an invitation to tender shall be given in accordance with Article 24 of the present code.

Each call for open tenders shall set out the following information and requirements:

- the object of the contract;
- source of financing;
- the number of lots, the nature and importance of each lot, where necessary, the minimum or maximum number of lots for which a tenderer may submit tenders;
- the place where the tender documents may be inspected and the procedure for obtaining these documents;
- the name of the institution empowered to award the contract;
- the place, date and time limit for the receipt of tenders;
- non refundable deposit where applicable;
- the time frame during which applicants are bound by their tenders; this period may not be less than one hundred and twenty days (120 days) from the date of the deadline for the receipt of tenders;
- the amount required as provisional guarantee, if applicable;
- evidence of the applicant's qualification, technical capability and solvency;
- where applicable, any other conditions as the Community may consider necessary.

**ARTICLE 21 : RESTRICTED TENDERING PROCEDURE**

A tender procedure is said to be restricted where only some candidates are authorised to submit bids after having been pre-selected or selected.

1. Restricted tender procedure following a prior preselection of candidates

   A restricted tender may be preceded by an open invitation to tender which indicates the specific nature and scope of the services needed, the necessary supporting documents on the qualifications, technical and financial capacities of applicants, the venue and deadline for receipt of bids.

   This type of contract award is used for major or complex works, or exceptionally, for supplies of equipment to be made to order, or for specialised services.

2. Restricted tender procedure following direct selection of candidates

   A limited tender after direct preselection is used where the number of candidates capable of rendering services in the area concerned is limited. In this case, the person responsible for preparing the tender document shall submit the preselection to the competent person for approval.

**ARTICLE 22 : SPECIAL CASE: INVITATION TO TENDER WITH COMPETITION**

1. Competition is a special case of open restricted tender. Candidates are short-listed or selected.

2. A project shall be thrown open to competition if, for technical, aesthetic or financial reasons, its implementation requires special research.

3. Competition shall be organised on the basis of a schedule drawn up by the Community which shall indicate the services to be provided and fix, where necessary, the maximum cost of the project.

4. The Tenders Committee or the Technical Unit set up within the Tenders Board as stipulated in Articles 28 and 29 of this code shall be responsible for short-listing, and for opening bids and determining successful tenderers. In the execution of all these activities, they shall be assisted by panel of experts.

   The panel shall be set up by the officer responsible for approving contracts and chaired by his representative.

5. The project supervisor, where applicable, shall be a defacto member. He shall serve as rapporteur to the committees or to the Tenders Board.

   In the other cases, the rapporteur shall be appointed by the chairman.

6. The panel shall comprise at least three (3) members in addition to the Chairman.

   The panel may also be composed of representatives of the Community and organisations involved in the project. In addition, it may consult any expert or specialist reputed for their experience in the various project areas.

   The panel shall participate in the short-listing exercise. On the basis of the analysis report prepared by it, a list of candidates eligible to participate in the competition shall be compiled by the Tenders Committee or the Tenders Board.

   The panel shall intervene again after the opening of bids. It shall scrutinise and classify bids and submit its report to the Committee or the Board which shall determine the winning bids after deliberations, and appoint the successful tender, if the need arises.

7. Competition may be organised in the case of:
   - a project design;
   - the execution of a previously identified project ;
   - a project design and its implementation.

8. Where the competition is solely for the selection of a project design, the rules shall make provision, where necessary, for payment of bonuses, prizes or benefits to the best entries.

   The rules may further provide:
   - that successful bids and the rights attached thereto shall become the property of the Community or of the contracting institution;
   - that any intellectual property right which may accrue from the award of any contract shall be vested in the Community or Community Institutions;

- that the Community reserves the right to appoint a supplier or contractor of its choice to execute all or part of winning projects, provided a fee fixed in the rules or determined by amicable agreement or on the basis of expert advice is paid to the project designers.

The rules governing competition shall indicate whether, and on what terms, the project designers shall be called upon, where necessary, to assist in the implementation of their selected projects. Allowances and rewards subsequently provided for may not be granted where none of the projects received is appropriate.

9. Where the competition is for both the project design and execution thereof or solely for execution of an identified project, the award of the contract shall be announced, on the advice of the panel, in accordance with the general conditions governing contract award.

Before issuing its opinion, the jury may request in writing all or any competitor to provide clarifications, also in writing, on their propoeals.

Procedures and prices proposed by competitors may not be divulged at meetings.

Candidates selected to compete shall be notified by registered mail or by hand delivery, with notice of delivery.

**ARTICLE 23 : SPECIAL CASE: RESEARCH CONTRACTS.**

1. Where the Community is not in a position to execute with its own resources, studies which are essential, it shall have recourse to research contracts.

2. Barring derogations, research contracts shall be awarded pursuant to a competition.

The competition shall be organised in accordance with a tender document prepared by the Community and addressed to firms selected either through a procedure or a pre-qualification process.

3. The tender document shall comprise:

- a letter of invitation containing assessment criteria and their ponderation, if the need arises;
- terms of reference stipulating the objectives, aims and scope of the assignments to be executed by the firms or consultants;
- estimated cost;
- a model contract.

**ARTICLE 24 : ADVERTISEMENT AND DEADLINES FOR RECEIPT OF BIDS OR APPLICATIONS**

1. Open or public invitations to tender shall be published through an advertisement in publications authorised to publicise legal notices and in newspapers in member States with a wide circulation, and through posters or and other appropriate advertising media.

2. The deadline for the receipt of tenders or applications may not be less than forty-five days from the date of publication of the notice.

3. The mihimum deadline for the receipt of tenders under a restricted tender procedure shall be thirty days from the date of dispatch of the letter of invitation.

**ARTICLE 25 : CURRENCY**

The tender document shall indicate that a candidate may quote the price of his/her bid in the currency of any Member State of the Community or in ECOWAS Units of Account. A candidate wishing to submit a tender denominated in several currencies may do so provided the number does not exceed three.

**ARTICLE 26 : SUBMISSION OF TENDERS**

1. Bids shall be submitted in two separate, sealed and stamped envelopes, irrespective of whether the invitation to tender is open or restricted.

An outerenvelope, bearing the title of the project to which the tender relates but excluding the name of the sender shall contain, as specified in the special rules governing the competition, the various supporting documents, especially the provisional guarantee, where so required, and the documents to be provided in keeping with Article 7 of this code. Any indication of price shall be excluded.

An inner envelope bearing the name of the contractor, supplier, industrialist or service provider, shall contain the tender, in particular, the actual amount bid.

2. The envelopes containing the bids must arrive at the venue specified in the notice not later than on the deadline for their receipt, either by registered mail, through a deliveryman with notice of delivery, or by hand.

3. Upon receipt, the envelopes shall be recorded by order of arrival in a special register. They shall remain sealed until the scheduled opening. These provisions shall be applied under the responsibility of the Head of the contracting Institution.

**ARTICLE 27 : CONTRACTS CONCLUDED BY NEGOTIATION OR BY DIRECT AGREEMENT**

A contract is said to be concluded by negotiation or "by direct agreement" where the Community enters into direct negotiations with and awards the contract to the contractor of its choice without recourse to the usual procedure.

1. Contracts concluded by negotiation with prior informal consultation:

   The Community shall organise a competition, with at least three candidates through a brief written document, for candidates who are capable of executing such contracts.

   Contracts may be awarded through negotiation only in the following cases:

   d) Where the urgency of the works, supplies or services renders a prior call for competition impracticable;

   e) Where the works, supplies or services are for research and experimental purposes, or for the development of a process;

   f) Where no tenders or appropriate bids for works, supplies or services have been submitted following a call for competition; and in the absence of insufficient information in the tender document;

   g) Where the routine supplies, foodstuffs, products of the soil or services need to be selected or executed at the production or storage sites on account of their peculiar nature or the purpose for which they are required;

   h) Where the requirements are related to the carriage of public funds;

   i) Where such procedure derives from an international convention.

2. Contracts concluded by direct agreement without prior competition.

   Contracts may also be concluded by direct agreement without a prior call for competition in the following cases:

   a) Where the requirements make it absolutely necessary to have recourse to intellectual property rights, patents, licences or other exclusive rights held by a single supplier;

   b) Where, by reason of technical, investment, special installation or technical expertise, a specific contractor or supplier need to be employed.

**CHAPTER IV**
**TENDERS COMMITTEE AND TENDERS BOARD**

**ARTICLE 28 : TENDERS COMMITTEES**

1. A Tenders Committee is hereby established within each institution of the Community empowered to enter into contracts.

2. The Tenders Committee shall have power to open and scrutinise tenders for contracts whose estimated value is equal to or above UA 25,000 but below UA 250,000.

3. The Tenders Committee shall be composed as follows:

   a) One representative designated by the Head of the Institution – ***Chairman;***

   b) Directot of Finance, Treasurer or Questeur, (as appropriate), or their representative – ***Member;***

   c) Director of Legal Affaires or his representative – ***Member;***

   d) Direotor of Administration or his representative – ***Member;***

   e) Representative of the beneficiary Service or the Department concerned – ***Rapporteur.***

4. Meetings and proceedings of the Committee shall be valid only where at least four of its members, including its chairman, are present.

5. The Committee shall, in open session, open bids and, in closed session, carry out the technical analysis and the financial assessment of bids in accordance with the provisions of Article 30, 32 and 33 of this Code.

At Committee meetings, the chairman shall ensure compliance with the provisions of this Code.

The deliberations of the committee shall be treated as absolutely confidential.

Where the tender evaluation and screening criteria stipulated in the tender documents do not facilitate the selection of a candidate for the award of a contract, the Committee shall take a decision by simple majority vote. In the event of a tie, the Chairman shall have a casting vote.

After the evaluation meeting, the Tenders Committee shall prepare a report which shall set out the classification of the bids, proposals for the awards of the contracts, the contract amount, the implementation period and specific remarks.

The report shall be submitted for consideration and implementation by the Head of the Institution.

**ARTICLE 29 : PERMANENT TENDERS BOARD**

1. A Permanent Tenders Board is hereby established within the Community. It shall have power to approve the results of deliberations on the opening of bids for any contract with an estimated value equal to or above UA 250,000.

2. There is hereby established, under the authority of the Tenders Board, a technical unit which shall be responsible for the technical and financial evaluation of tenders.

3. The ECOWAS Permanent Tenders Board shall be composed as follows:

   a) Chairman of the Administration and Finance Commission – ***Chairman***

   b) Chairman of the appropriate technical Commission – ***Member***

   c) Executive Secretary – ***Member***

   d) Managing Director – ***Member***

   e) Director of Legal Affairs – ***Member***

   f) Officer in charge of the project concerned – ***Rapporteur***

   g) Representative of the country of the project – ***Member***

   h) Representative of each Member State involved in the project – ***Member***

   i) Supervisor, where available, present in an advisory capacity.

- Meetings of the Permanent Tenders Board shall be valid only where 2/3 of its members including the Chairman are present. Decisions of the Commission shall be taken by consensus, failing which they shall be taken by a simple majority vote of those present. In case of a tie, the Chairman shall have a casting vote.

4. The Technical Unit responsible for the technical and financial evaluation of bids shall be composed as follows:

   a) Representative of the Executive Secretariat – ***Head of the Unit;***

   b) Representative of the Managing Director – ***Member;***

   c) Officer in charge of the project concerned – ***Member;***

   d) Representative of the beneficiary Institution other than those of the Executive Secretariat and the Fund – ***Member;***

   e) Representative of the country where the project will be executed – ***Member;***

   f) Project supervisor, if any, present in an advisory capacity.

   g) Any expert or specialist capable of providing specific assistance in an advisory capacity.

5. The opening and the technical and financial evaluation sessions shall be chaired by the Head of the unit.

6. The functions of the Technical Unit shall be the same as those of the Tenders Committee specified in Article 28(5) of this code.

7. The evaluation report prepared by the Unit shall be submitted for consideration and approval by the Tenders Board.

## CHAPTER V
## AWARD OF CONTRACTS

### ARTICLE 30 : OPENING OF BIDS

1. Envelopes containing bids received pursuant to a call for competition shall be opened, at the earliest, on the deadline date and time for the receipt of tenders and at the venue for submission of bids, by the Tenders Committee or by the Technical Unit responsible for the technical and financial evaluation of bids.

2. Bid opening sessions shall be open to the public. Envelopes shall be opened by the Tenders Committee or by the Technical Unit in the presence of bidders, candidates or their representatives. A complete list of the bidders shall be compiled and a table drawn up containing a summary of the main characteristics of the various bids and, especially, the amounts quoted, provisional guarantees, deadlines, variants and rebates, which shall be read aloud.

3. The Tenders Committee or the Technical Unit shall prepare a report on the outcome of deliberations on the opening of bids. This shall be countersigned by the chairman and the secretary for the occasion.

### ARTICLE 31 : SPECIAL CASE: OPENING OF BIDS IN TWO PHASES

Where a call for competition concerns contracts for complex works, supply of a specific type of heavy equipment, turnkey projects or detailed design studies, the Tenders Committee or the Technical Unit may, in a first stage, open and carry out financial examination of bids, if the tender document so provides.

### ARTICLE 32 : EXAMINATION AND EVALUATION OF BIDS

1. The Tenders Committee or the Technical Unit shall carry out, within a time frame compatible with the bid validity period, a technical and/or financial and comparative analysis of bids in keeping with the criteria contained in the bid document.

   In the case of a restricted tendering procedure, the determining criteria for the award of contracts shall be the price and the technical ability of short listed or selected candidates to execute the required services.

2. A bid consisting of a variant on a contract may be considered by the Tenders Committee or the Technical Unit only where such option has been expressly authorised in the tender documents.

3. The Tenders Committee or the Technical Unit may, if it so wishes, request a tenderer to provide clarifications on his bid in order to facilitate screening, evaluation and comparison of bids. The request and the reply shall be submitted in writing. No change in price or substantial change in bids shall be requested, offered or authorised.

4. For the purposes of comparison, the Tenders Committee or the Technical Unit shall convert into a single currency, prices expressed in various currencies. The rate used in making the conversion shall be the selling rate provided by an official source. The rate shall have been issued no earlier than four weeks prior to the time limit for receipt of bids, or two weeks prior to the deadline for the opening of bids.

5. At the end of the evaluation exercise, a detailed report shall be prepared outlining the specific elements upon which the Tender Committee or the Tender Board based its recommendation regarding the tenderer to whom the contract should be awarded.

### ARTICLE 33 : AWARD OF CONTRACT

The authorising authorities shall consider the reports with a view to approving them, after necessary amendments.

Where the proposal to award the contract is approved, the successful tenderer shall be notified in writing by the Head of Institution or the Chairman of the Tenders Board who shall also inform the other unsuccessful candidates, before returning their bank guarantee.

Where the proposal is not approved, the Head of Institution or the Chairman of the Tenders Board shall decide either:

- to terminate the procedure;
- or carry out the evaluation exercise all over again, in which case a new report shall be

submitted for approval not later than twenty days after the decision is taken.

- where the proposal is not approved and the second proposal is rejected, the tender procedure shall be terminated.

**ARTICLE 34 : UNSUCCESSFUL BIDS**

1. A call for competition shall be declared unsuccessful in the following cases:

   a) where no bid is received at the time limit and place fixed in the invitation to tender;

   b) where no bid is deemed acceptable after examination and evaluation;

   c) where all the bids are for amounts higher than the sum approved for the contract. However, before declaring a tender procedure unsuccessful, the Head of Institution or the Chairman of the Tenders Board shall consider the possibility of reducing the quantity of works and supplies or of obtaining additional funds.

2. Unsuccessful applicants shall be informed accordingly and shall have their bank guarantee returned to them.

   Thereafter, a new call for competition shall be published on the basis of a revised dossier, or a negotiated contract concluded.

## CHAPTER VI
## PREPARATION, SIGNING, ENDORSEMENT, APPROVAL, AND NOTIFICATION

**ARTICLE 35 : PREPARATION**

Once the successful tenderer has been selected, the person authorised to prepare contracts shall work out the details of the contract and submit it for approval and signature. However, the terms of the contract shall contain no modifications whatsoever in respect of the conditions set out in the call for competition or the decisions of the Tender Committee and the Tender Board.

**ARTICLE 36 : MANDATORY INFORMATION**

The terms of the contract shall be set out in a single document of which the tender specifications as defined in Article 41 of this Code shall form an integral part; contract documents shall comprise at least, the following information:

- identification of the contracting parties, particularly their legal status;
- the object of the contract;
- the content and detailed description of the works, supplies or services;
- a list of documents accompanying the contract as prescribed in the call for bids;
- the value of the contract;
- prices and valuation method adopted;
- the conditions and modalities for payment and, where the contract value has been revised, the terms of the review and the conditions for its application;
- the time limit for the delivery of supplies, execution of works or provision of the services required;
- amount of guarantee required;
- conditions governing settlement of disputes;
- conditions for cancellation;
- identity of the office responsible for payment;
- source of funds;
- language of contract;
- the civil and professional insurance cover for the tenderer admitted;
- where necessary, the regulatory provisions governing international transit and transport operations.

**ARTICLE 37 : CONTRACTOR'S SIGNATURE**

Following their preparation, contracts shall be signed by the contractor or by his duly authorised representative or in the case of group contracts, by their duly authorised agent.

**ARTICLE 38 : ENDORSEMENT BY FINANCIAL CONTROLLER**

Contracts concluded on behalf of the Community and its Institutions shall be endorsed by the Financial Controller.

**ARTICLE 39 : APPROVAL OF CONTRACT**

1. Contracts entered into by the Community and its Institutions shall be signed by:

   a) the Executive Secretary or the Managing Director in the case of contracts with a value of UA 25,000 or above, but not exceeding UA 250,000;

   b) the Chairman of the Tender Board in respect of contracts with a value of UA 250,000 and above.

2. The signature validates the contract and renders it executory.

3. Contracts which are not signed, endorsed and approved in accordance with the provisions of this chapter, and any action taken in respect thereof, shall be null and void and of no effect.

**ARTICLE 40 : NOTIFICATION OF CONTRACT AWARD**

1. After approval, the Head of Institution concerned shall give notification to the successful tenderer in writing, by sending him two copies of the contract, accompanied by a notice of delivery, or by registered mail with acknowledgement of receipt or by courier. The contract shall become effective as from the date of the notification which shall be the date as indicated on the acknowledgement of receipt or the advice of delivery.

   Except as may be stipulated otherwise, the duration of the contract shall be effective as from the date of the notification.

2. After notification, the winning contractor shall register the contract with the authority concerned in the host country.

**PART III**
**EXECUTION OF CONTRACTS**

**CHAPTER I**
**CONTENT OF CONTRACTS**

**ARTICLE 41 : CONTRACT SPECIFICATIONS**

The contract specifications lay down the conditions under which a contract is to be executed. They include both general and special provisions.

**ARTICLE 42 : GENERAL CONDITIONS OF CONTRACT**

1. The general clauses and conditions stipulating the administrative provisions governing contracts are:

   a) general administrative provisions applicable to works contracts;

   b) the general administrative provisions applicable to contracts for supplies and services;

   c) the general administrative provisions applicable to contracts for intellectual services;

   d) the general administrative provisions applicable to industrial contracts.

2. The general technical provisions shall determine the technical conditions for services of an identical nature. They are established separately for each lot of works or supplies.

**ARTICLE 43 : SPECIAL CONDITIONS OF CONTRACT**

1. Special administrative provisions set out conditions applicable to a specific contract.

2. Special technical clauses set out the technical provisions necessary for the execution of the services required in the particular contract.

3. Special documents shall indicate the articles of the general conditions which they supplement or modify.

**ARTICLE 44 : PREPARATION OF CONTRACT SPECIFICATIONS**

The Executive Secretariat shall prepare both the general and the special technical provisions which shall be binding by virtue of a Community act.

**CHAPTER II**
**CLASSIFICATION OF CONTRACTS**

**ARTICLE 45 : CATEGORIES OF CONTRACTS**

Contracts can be classified into different categories according to the provisions governing the modalities for their execution and the valuation methods adopted.

a) Contracts classified according to the modalities for their execution include: purchase order contracts, goodwill contracts, programme contracts, and multiple contracts.

b) Contracts classified according to valuation methods are: lump-sum contracts, unit cost contracts, and cost-plus or cost reimbursable contracts.

**ARTICLE 46 : PURCHASE ORDER CONTRACTS**

A purchase order contract is a process that allows the Community to negotiate contracts for its current yearly requirements, the exact quantity of which cannot be determined at the beginning of the year or which exceed its storage capacity.

All order contracts shall indicate the minimum and maximum limits of the services to be provided, expressed in terms of quantity or value.

The contracts shall be concluded for a period not exceeding one year. However, they may contain a clause on an option renewal for a maximum of two years, with each party having the right to give notification of renunciation of the said clause.

Such supplies shall be delivered on the basis of purchase orders which shall indicate the quantity to be supplied and the place and date of delivery.

Payment for order contracts is often done in batches, particularly in the cases of centralised contracts.

**ARTICLE 47 : GOODWILL CONTRACTS**

Goodwill contracts are contracts under which the Community undertakes to award to a particular contractor or supplier, all orders in respect of a particular category of services, for a fixed period not exceeding two years, without having to specify the quantities and value of the orders in the contract document.

The tender document shall indicate the quantities normally required over a similar period and the approximate schedule of delivery, thereby allowing candidates the opportunity to calculate unit costs on the basis of a manufacturing schedule to be determined by them.

Thereafter, the same procedure shall be followed as in the case of order contracts.

**ARTICLE 48 : PROGRAMME CONTRACTS**

Programme contracts are investment operations funded by the Community through special arrangements within the framework of a programme, where the total commitment, corresponding to the total estimated cost, is left open and is matched by grants made available yearly to cover each segment of the contract to be executed.

The contract is thus concluded for a period of more than one year and is executed in annual segments whose content is determined each year after the corresponding budget is voted.

**ARTICLE 49 : MULTIPLE CONTRACTS**

Multiple contracts are agreements entered into when one contractor does not have the technical and financial capability to execute the quantity of works and supplies required. The contract is thus divided into lots, each one the subject of a contract.

**ARTICLE 50 : LUMP SUM AND UNIT PRICE CONTRACTS**

1. A contract shall be deemed a lump-sum contract when the total value is determined in advance.

2. A contract is referred to as a unit price contract when the total value is determined after the contract is concluded, on the basis of unit prices calculated beforehand and the quantity of the services actually provided.

**ARTICLE 51 : COST-PLUS FEE CONTRACTS**

Contracts may include services executed or remunerated on fixed cost-plus fee basis. Under such an arrangement, the Community reimburses the actual and verified expenses incurred by the contractor, supplier or service provided, to which it adds a fee or coefficients earmarked to cover general costs, taxes, levies and profits. They should indicate the value of the different elements which are used to determine the amount payable.

## CHAPTER III
## PAYMENT OF CONTRACTS

**ARTICLE 52 : CONTRACT PRICES**

The contract value is expected to cover all expenses necessary and adequate for the execution of the oontract, including duties, taxes and rates. It is also expected to afford the contractor a margin for risks and profit.

**ARTICLE 53 : FIRM PRICES AND PRICES SUBJECT TO REVIEW**

1. A contract is said to be firm when no variants are permitted to reflect changes in the economic situation and when the expected period of completion does not exceed twelve months.

2. Price review is the contract valuation method whereby an index is applied to the original cost during the period between the effective date of the price and the date of payment.

   The review formula should include a fixed part known as the neutralisation margin and should use an index that is objective, representative of the object of the contract and easily verifiable.

**ARTICLE 54 : CONDITIONS FOR PRICE REVIEW**

Conditions under which prices may be reviewed shall be determined for each type of contract in the general administrative provisions applicable to contracts and clarified in the special administrative provisions outlining conditions governing each contract, with particular emphasis on:

- the review formula or formulae;
- the start-off threshold;
- the neutralisation margin;
- all special conditions

Mobilisation fees and optional advances shall not be subject to review. Where advances are deducted from the sums payable as advances or balances to the contractor, the price review clause shall apply only to the amount outstanding from the initial cost after deduction of all advances.

**ARTICLE 55 : PAYMENT OF CONTRACTS**

Advances, part payments and the final payment for contracts shall be made under the conditions specified in this chapter.

Each contract shall specify the administrative and technical conditions governing the payment of the advances or instalments referred to in this chapter.

**ARTICLE 56 : MOBILISATION FEE**

A fixed amount referred to as a mobilisation fee may be paid by the Community to the contractor.

This amount of this advance fee shall be 10% of the contract price.

Disbursement of the fee shall be covered by a joint and several guarantee in accordance with the provision of Article 68 of this code.

**ARTICLE 57 : OPTIONAL ADVANCE PAYMENT**

Optional advance payment may also be made to the contractor to carry out preliminary operations for the execution of the contract where such preliminaries require prior commitment of funds. In such cases, the conditions and amount of such advance shall be stated in the specifications for each individual contract.

Advance payment shall be fully covered by a joint and several guarantee in accordance with the provisions of Article 68 of this code.

**ARTICLE 58 : MAXIMUM AMOUNT PAYABLE AS ADVANCE**

The total amounts paid as mobilisation and optional advance fees may not exceed 30% of initial value defined as the basic contract cost excluding all additional clauses or increases resulting from a price review.

**ARTICLE 59 : REFUND OF ADVANCES**

Mobilisation fees, and where applicable, optional advance payments shall be deducted from subsequent payments disbursed to the contractor under the specific terms of each individual contract.

In the event of a total or partial termination of the contract, the Community has the right, without prejudice to other outstanding payments, to demand immediate refund of outstanding advances.

**ARTICLE 60 : PART PAYMENT**

1. Part payment may be made to the contractor in respect of contract having an execution deadline of more than 3 months, for the services listed hereunder, if such services constitute a partial execution of the contract. The contractor shall produce evidence that such services have been performed either by him or by a sub-contractor who is not receiving direct payment as defined by Article 63 of this Code :

   a) delivery to a work site, factory or workshop, of supplies, raw materials or manufactured

goods destined for use in the works or supplies included in the contract, subject to such items having been duly acquired and effectively paid for by the contractor and provided that this is easily verifiable by the Community;

b) performance of operations essential to the completion of works or supplies duly registered in the records or reports of the Community or its representatives, subject to proof of payment being produced by the contractor where such operations have been sub-contracted;

c) payment by the contractor of salaries and related mandatory social entitlements of workers effectively and exclusively engaged for the execution of works or the provision of supplies, and payment of that part of the company's general expenditure, duties and taxes exigible under the terms of the contract.

2. The contractor may not use items purchased with amounts received as part payment for works or supplies other than those relating to the particular contract in respect of which the advance payment was given.

3. The general administrative provisions shall fix, for each category of contract, the intervals or the technical stage of the contract at which part payment may be effected.

4. The amount disbursed in part payment shall not exceed the value of the services for which it is required.

Part payment shall be conditioned by the amounts deductible as reimbursement for advances received, in accordance with the provisions of Article 59 above, and where applicable, by the amount retained as guarantee under the terms of Article 69 of this code.

5. In the event of disagreement as to the amount to be disbursed in part payment, the amount shall be calculated on the temporary basis of the payment approved by the Community or its representative for the execution of the contract. Where part payment is less than the final amount due to the contractor he shall not be entitled to interest in respect of the outstanding difference. Part payment may not be considered as final payment: the beneficiary shall be deemed indebted in that amount until settlement of the balance of the contract amount.

**ARTICLE 61 : PAYMENT OF BALANCE (FINAL INSTALMENT)**

Settlement of balance intervenes when the contractor is paid the amounts due in respect of normal performance of services or execution of the contract after deduction of all advances or part payments which have not been recovered by ECOWAS or the Employer. Where an amount has been deducted for guarantee purposes, final payment of the contract shall be preceded by a partial settlement of all outstanding payments for normal execution of the contract after deduction of all advances or in part payments. Final settlement shall be effected thereafter, at which time the guarantee or any equivalent monies withheld shall be released.

**ARTICLE 62 : DEADLINE FOR PAYMENT**

Payment of advances and the balance shall be effected within 60 days. This deadline shall be counted beginning from the last day of the month in which the contractor accepts the services for which payment is made or from a date fixed by the specific terms of the contract.

**ARTICLE 63 : DIRECT PAYMENT TO SUB-CONTRACTORS**

The provisions of Articles 55 to 62 above shall apply to all sub-contractors subject to the special conditions herein-under:

1) where the value of the sub-contracting agreement is equal to or greater than 10% of the contract amount, the sub-contractor, who has been accepted and whose conditions of payment have been approved by the Community shall be paid directly for that part of the contract executed by him;

2) advances shall be payable, at their demand, directly to sub-contractors on a pro rata basis in accordance with their share of the contracted work and subject to the contractor having put up the guarantee in cases where the contract makes provisions for payment of a surety to guarantee such advance;

3) payments to the sub-contractor shall be effected upon submission of documentary evidence signed by the main contractor. Upon receipt of the documents the Community shall inform the

sub-contractor and apprise him of the amounts approved by the contractor as payment to him. Should the contractor fail to process the claim, the sub-contractor shall refer the matter to the Community which shall immediately instruct the former to show justifiable cause for withholding approval of payment to the sub-contractor, failing which, the amounts due to the sub-contractor shall be settled by the Community.

**ARTICLE 64 : INTEREST ON OVERDUE PAYMENTS**

Subject to the provisions of Article 62 each contract shall provide for interest on overdue payment to be made by the Community to the contractor.

Interest on overdue payment shall be calculated at a rate to be fixed by the particular contractual terms, based on the discount rate adopted by he Central Bank or equivalent public institution in the country within which the contract is being executed, increased by two points.

**ARTICLE 65 : PENALTIES FOR LATENESS**

Each contract shall provide for the imposition of penalties for late completion when the contract is not executed within the agreed time limit. The penalty shall be set out in the general administrative provisions for the different types of contract.

The full penalty shall be applied without prior notice and shall initially be deducted from the amounts owed to the contractor or supplier and subsequently from the guarantee(s). Where the balance is insufficient to offset the penalty a payment order shall be used to cover the amount.

## CHAPTER IV
## DOCUMENTS REQUIRED OF CANDIDATES AND THE CONTRACTOR

**ARTICLE 66 : PROVISIONAL TENDER GUARANTEE**

1. Tenderers who present themselves pursuant to a call for competition shall be required to provide a bank guarantee known as a provisional tender guerantee. The basic rate that shall be used to calculate the amount of the provisional guarantee shall be fixed in accordance with the value of the oontract as set out in the call for competition and published by the Community invitation to tender, and may not be less than 1.5% or more than 3% of the tender.

2. The provisional tender guerantee may be replaced by a joint or several guarantee under the conditions stipulated in article 68 of this code.

3. Once the successful tenderer has been chosen, the Community or the Employer, shall return the provisional guaranty or its equivalent to the unsuccessful tenderers within 30 days of the selection of the successful bid. All tender guarantees and equivalent instruments shall become invalid upon expiry of the 30-day deadline. The successful tenderer shall be required to provide a performance bond under the conditions specified in Article 67 hereunder. His tender guarantee will thereafter be returned.

   No tender guarantee is required for services of an intellectual nature.

**ARTICLE 67 : PERFORMANCE BOND**

1. The Contractor is required to provide a final surety or performance bond to guarantee the proper execution of the contract and against reimbursement of any amount owed by him in cennection with the contract.

   However, persons contracting to perform in the capacity of a consultant, or to perform any services of an intellectual nature shall be exempt from providing a performance bond. The amount of the performance bond shall be fixed in the general administrative provisions and specifically mentioned in the special provisions. The amount of the performance bond shall not be less than 3% or exceed 5% of the basic contract price inclusive or exclusive as the case may be of any additional clause. The modalities governing the performance bond shall be stipulated by the terms of each contract. The performance bond shall be exigible upon approval of the contract and must be submitted before any disbursement can be made on the part of the Community.

2. The performance bond may be replaced by a joint and several guarantee as defined by Article 68 hereunder.

3. The performance bond shall be released automatically 30 days as from the date of final acceptance of the contracted work, or in the case of a contract stipulating a guarantee period, from the date of provisional acceptance, unless the Community notifies by registered mail or recorded delivery, the failure on the part of the contractor to fulfil all his full contractual obligations. In such cases, release of the

performance bond may only be effected with the express authorisation of the Community or the Employer.

**ARTICLE 68 : RETENTION MONEY**

1. Where the contract stipulates observance of a guarantee period, part of each payment instalment shall be retained by the Community as a guarantee of the proper performance of the contracted services. The amount thus retained by the Community or by the Employer shall be equal to 10% of each instalment paid for execution of works or supplies.

2. The retention money may be replaced by a joint and several guarantee.

3. The retention money or the joint and several guarantee shall be released where the contractor has discharged all obligations pertaining to the guarantee period, or where so authorised by ECOWAS or the Employer, upon expiry of the guarantee period or upon final acceptance.

   The duration of the guarantee period shall be fixed in the technical specifications in accordance with the nature of the contract.

**ARTICLE 69 : JOINT AND SEVERAL GUARANTEE**

1. The guarantee provided for under Articles 66, 67 and 68 may be replaced by a joint or several guarantee whereby a third party undertakes to pay to the Community any sums owed by the supplier or contractor in respect of the contract, up to the amount posted as guarantee.

2. The joint and several guarantor shall be chosen from approved banks, mutual guarantee institutions guaranteeing their members, and recognised insurance companies.

3. The joint and several guarantee shall be in a form specified by the Community. The form shall contain an undertaking to pay , without discussion or division, any amounts owed by the contractor up to the amount put up as a guarantee.

   The guarantor shall pay the on first demand by the Community or the Employer. The guarantor may not defer payment or question the need for payment for any reason whatsoever.

**ARTICLE 70 : MOBILISATION FEE**

1. Subject to application of the provisions of Articles 56 and 57 of this code, the contractor may be paid a mobilisation fee and other forms of advance payment only upon submission of a joint and several guarantee covering full repayment of all advances received.

2. The Community or the Employer shall within a period of 30 days from the date of demand, release all amounts guaranteeing repayment of advances as each repayment is effected.

**ARTICLE 71 : SPECIAL GUARANTEES**

The technical specifications shall determine where necessary, any guarantees other than those stipulated above, such as sureties, which may, under special circumstances be required of the contractor to ensure the discharge of his obligations. The technical specifications shall define the rights of ECOWAS in relation to such guarantees.

## CHAPTER V
## ADDITIONAL CLAUSES

**ARTICLE 72 : MODALITIES FOR INCLUSION OF ADDITIONAL CLAUSES**

1. Any variations to the initial contract shall be embodied in an additional clause except in the cases specified in paragraph 2 of this Article.

2. Variations in the execution of contracts for works, supplies or services not exceeding 10% of the total volume shall be verified and approved by an order issued by the Community.

3. Where the variation in the quantity of the works, supplies or services exceeds 10% but is less than or equal to 25% of the basic contract value, such variation shall be the subject of an additional clause.

4. Where the totality of the works exceeds 25% of the contract value calculated on the basis of initial costings, a new contract shall be drawn up using the same procedure as for the initial contract.

5. The total amount granted by virtue of additional clauses in respect of a single contract shall not exceed 25% of initial contract value.

6. Normal price reviews in compliance with

contractual terms shall not justify the introduction of additional clauses.

7. Additional clauses shall be drawn up and approved under same terms as the initial contract.

## CHAPTER VI
## PLEDGES

### ARTICLE 73 : FORMS OF PLEDGE

1. A contract constitutes an acknowledgement of indebtedness against a future budget of the contracting institution. It can be used as a pledge to obtain bank loans and credits. All credits, present and future, deriving from a contract concluded in compliance with the provisions of this code may be used as a pledge by virtue of a convention signed between the contractor and a bank or credit institution known under common law as the beneficiary of the pledge.

2. For the purposes of pledging a contract the Community shall give the contractor, at his request, a special copy of the contract bearing the inscription *"single copy issued for the purposes of a pledge"*.

3. The beneficiary of the pledge shall notify the accounting assignee of the release of the credits and shall give him the single copy along with a copy of the pledge instrument as documentary evidence. Notification shall be effected by registered mail or recorded delivery.

### ARTICLE 74 : BENEFICIARIES OF A PLEDGE

1. The beneficiary of a pledge may transfer part or the totality of its rights to another credit institution which shall so inform the accounting assignee for payment purposes. No new accounting assignee may be designated nor may any amendments be made to the modalities for payment be effected after notification of the pledge.

2. The rights of beneficiaries under the provisions of this code, subject to the laws of the country in which the contract is being executed, may only be superceded by the following, in order of priority:

   - payments to the Treasury;
   - legal costs;
   - entitlement granted by the contractor to workers directly engaged by him.

3. The beneficiary shall notify the accounting assignee of the release by registered mail with acknowledgement of receipt. The release shall take effect on the tenth (10th) working day following receipt of the letter by the assignee.

### ARTICLE 75 : PLEDGES BY DIRECTLY PAID SUB-CONTRACTORS

1. A directly paid sub-contractor who has been approved may cede or pledge all or part of his credits up to an amount which shall not exceed the monies directly payable to him. For this purpose, the sub-contractor shall receive a certified true copy of the original contract and where applicable, the additional clause engaging him as directly paid sub-contractor.

2. The contract shall indicate the nature and amount of the services to be sub-contracted. This amount shall be deducted from the contract price in order to ascertain the ceiling of the amount which may be pledged by the contractor.

## CHAPTER VII
## INSPECTION OF CONTRACT EXECUTION

### ARTICLE 76 : INSPECTION AND MONITORING

All contracts concluded by the Community and its institutions shall be subject to financial monitoring and technical inspections.

### ARTICLE 77 : INSPECTION AND MONITORING AGENTS

The functions of inspection and monitoring shall be conducted directly by the representatives of the institutions or by private companies appointed to act in the capacity of employer or assistant.

However, the Tender Board defined in Article 29 of this code may monitor the conclusion and execution of contracts for the Community and its institutions.

### ARTICLE 78 : CONDITIONS AND MODALITIES FOR INSPECTION AND MONITORING

The conditions and modalities for inspection and monitoring shall be fixed in the technical specifications for each category of contract.

## PART IV
## TERMINATION, SETTLEMENT OF DISPUTES AND SANCTIONS

### CHAPTER I
### TERMINATION

**ARTICLE 79 : DIFFERENT CAUSES OF TERMINATION**

A contract may be terminated for any of the following reasons :

- by decision of the Community to terminate or defer execution without default on the part of the contractor;
- in instances of "termination by right", particularly in cases of default;
- by decision of the contractor;
- by recourse to coercive measures.

**ARTICLE 80 : TERMINATION BY THE COMMUNITY**

Where the Community suspends the execution of the contract before completion without default on the part of the contractor, the latter may put in a claim for estimated damages.

Such claim may not exceed the outstanding amounts payable on the uncompleted work and must be supported by documentary evidence.

**ARTICLE 81 : TERMINATION BY RIGHT**

Termination BY RIGHT intervenes in the following. circumstances :

1. The death or civil incapacitation of the contractor, except where the Community agrees that the contract be completed by the contractor's heir or a trustee.
2. In the event of manifest physical incapacitation of the contractor.
3. In the event of the contractor's bankruptcy, unless the Community accepts an offer made by the contractor's creditors.
4. Where the affairs of the contractor are in liquidation and he is forbidden by a court judgement to pursue his activity.
5. In the event of a prolonged delay in the execution of the contract considered unacceptable by the Community.

Where termination intervenes in the circumstances cited above, no compensation shall be payable to the contractor or his heirs.

**ARTICLE 82 : TERMINATION UPON REQUEST BY THE CONTRACTOR**

The contractor may request to terminate the contract :

a) If execution has been delayed for a period exceeding 3 months as a result of one or several suspensions.

b) If the contractor can provide evidence that he is prevented from executing the contract by reason of force majeure.

c) where delays in disbursement contravene the contractual deadlines to an extent where the contractor considers such delays to be prejudicial to the execution of the contract.

The request to terminate accompanied, where applicable, by a compensation clause shall be sent to the Community by registered mail a recorded delivery within 30 days of the event responsible for the termination.

**ARTICLE 83 : LIQUIDATION OF A TERMINATED CONTRACT**

Notwithstanding the reasons for the termination of a contract, the Community or the Employer shall, on the one hand, take an inventory of works or services performed and of supplies received with a view to effecting payment therefore and, on the other, value measures for their conservation. The deduction of the value of current performance from contract value shall be decided by the Community or by the Employer who shall inform the contractor accordingly in writing or by recorded hand delivery.

**ARTICLE 84 : COERCIVE MEASURES**

1. If the contractor fails to comply with the terms of the contract or the work orders issued for the purposes of the execution of the contract, the Community or the Employer may issue him with a written summons to comply within the contractual time limits. Service of such summons does not obviate the imposition of penalties for lateness.

2. If the contractor fails to obey the summons, the Community may :

- terminate the contract, the defaulting contractor being liable for all cests and risks. In such case, any extra costs incurred in concluding a new contract for the same purpose as the initial contract shall be borne by the defaulting contractor who shall, for his part, not be entitled to the proceeds from any reduction in expenditure resulting from the new contract;
- engage another entrepreneur, supplier or service provider of its choice at the expense of the contractor to execute all or part of the initial contract;
- the defaulting contractor shall be informed of the Community's decision in writing in order to permit him, where necessary, to monitor the operations being carried out at his expense by a new contractor or a substitute third party.

3. The modalities for the application of coercive measures for each category of contract shall be contained in the appropriate technical specifications.

**ARTICLE 85 : SUSPENSION**

1. ECOWAS may order the suspension of contracted works, supplies or services before completion by a decision to suspend, particularly in the event of delays caused by it in execution of the works or in the delivery of supplies necessary for the execution of the contract due to lack of funds or for any other reason connected with the Community.

2. Suspension entitles the contractor to compensation for damages incurred as a result of the interruption in the execution of the contract. Such compensation shall be the equivalent of a penalty for delay and where applicable, shall cover the cost of securing the work site.

3. The prolonged suspension of a contract may result in its termination in accordance with the provision of Article 82a of this code. Such termination shall give rise to a penalty for termination.

## CHAPTER II
## SETTLEMENT OF DISPUTES

**ARTICLE 86 : MODALITIES FOR THE SETTLEMENT OF VARIOUS DISPUTES**

Disputes or any claims arising from the interpretation of the texts governing the execution of Community contracts shall be settled in the following manner:

- amicable settlement;
- arbitration;
- referral to a court of competent jurisdiction.

**ARTICLE 87 : AMICABLE SETTLEMENT**

The Community and the contractor shall make every effort to reach an amicable settlement of any dispute arising between them in relation to the contract.

**ARTICLE 88 : ARBITRATION**

If, within 30 days of the commencement of these informal negotiations, no settlement is reached either party may seek arbitration or refer the dispute to a court of competent jurisdiction.

**ARTICLE 89 : REFERRAL TO A COURT OF LAW**

Disputes may be referred to any of the following courts of law :

- a competent court with jurisdiction in the matter under litigation in the host country of the contracting institution ;
- a competent court in the country in which the contract is being executed;
- the Community Court of Justice.

The competent court shall be specified in the special administrative provisions established for each contract.

## CHAPTER III
## SANCTIONS

**ARTICLE 90 : INFRINGEMENTS AND SANCTIONS - ECOWAS OFFICIALS**

Any official entering into a contract in violation of the provisions of this code shall incur the sanction provided for such violation in the Staff Regulations and Financial Regulations.

**ARTICLE 91 : INFRINGEMENTS - TENDERERS AND CONTRACTORS**

1. Any falsification of the certificates or documents contained in the tender may result in the temporary or definitive exclusion of such candidates from tendering for Community contracts.

2. Where such falsification is discovered after the tender has been accepted, the Community may unilaterally and at the expense of the contractor:

   - set up a supervisory body ; or
   - terminate and blacklist the contractor.

3. Tenderers or contractors who resort to bribery or other fraudulent acts in an effort to influence a Community official in connection with the award or execution of a contract shall be blacklisted without prejudice to other forms of sanctions.

## PART V
## FINAL PROVISIONS

**ARTICLE 92 : ADMINISTRATIVE PROVISION**

Heads of Institutions may make administrative arrangements in as much as they do not contradict the above provisions.

**ARTICLE 93 : AMENDMENTS**

The provisions of this ECOWAS Tender Code may be amended or added to as necessary by the Council of Ministers.

**ARTICLE 94 : TRANSITIONAL PROVISION**

Any provision found to be inconsistent with the provisions of this code shall to the extent of the inconsistency be deemed null and void.

The above notwithstanding, any contract entered into before the coming into force of this code shall be subject to the previous code.

**ARTICLE 95 : PUBLICATION IN THE ECOWAS OFFICIAL JOURNAL**

These regulations embodying the Tender Code of the Economic Community of West African States, ECOWAS, shall be published in the Official Journal of the Community.

## RECOMMENDATIONS AND MEASURES SUPPLEMENTAL TO THE APPLICATION OF THE ECOWAS TENDER CODE

The ECOWAS Tender Code is governed by positive law; it sets out the general framework for the conclusion and execution of contracts and the monitoring of contract execution. The text lays down the major provisions relative to procedure.

The committee of experts is proposing the recommendations and accompanying measures below to make the text more accessible and easier to apply, and also to ensure efficacy and transparency.

### I. RECOMMENDATIONS

1. Draft Regulation on the abrogation of Articles 024 and 025 of Regulation C/REG.4/11/89 on the adoption of the Financial Regulation and Manual of Accounting Procedures of the institutions of the Economic Community of West African States.

2. Draft Regulation on the abrogation of Articles 029 and 030 of Regulation C/REG.2/1/95 amending the Financial Regulation and Manual of Accounting Procedures of the institutions of the Community.

3. Preparation of texts governing application of the Code (technical details).

### II. CAPACITY BUILDING

1. Training of Staff responsible for the award and execution of contracts

   It is important that, immediately following the adoption of the Code, arrangements be made to provide training in contract award procedures and techniques for personnel who are directly involved.

2. Establishment of a department or designation of an officer for
   the award of contracts

   In order to ensure better monitoring of the rules, on one hand, and to ensure that they continue to be observed, it will be necessary to establish within the Community, a department or unit responsible for contracts or for an officer to be assigned this specific duty.

## REGULATION C/REG.6/12/99 ESTABLISHING MODALITIES FOR REPRESENTATION AT COUNCIL MEETINGS

**THE COUNCIL OF MINISTERS,**

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

OBSERVING that Ministers have had to be represented at meetings of the Council of Ministers by persons below the rank of Minister ;

NOTING that such persons representing their Ministers often have no mandate to do so;

ANXIOUS to avert the difficulties that this might cause during the implementation of Council decisions;

CONSIDERING the need to raise the level of representation by Member States at sessions of the Council;

DESIRING to define, to this end, modalities for representation of Council members at meetings of the institution;

ON RECOMMENDATION of the fourth meeting of the Ministers of Justice held in Abuja on 25th and 26th October, 1999;

**ENACTS**

**Article 1**

The Council of Ministers shall comprise the Minister in charge of ECOWAS Affairs and any other Minister of each Member State.

**Article 2**

1. A Council member may be represented at meetings of the institution by the Minister who assumes his ministerial functions in an acting capacity, or a person having equivalent rank;

2. Any person other than the Minister who assumes the latter's functions as a Member of Council in an acting capacity shall be duly accredited.

**Article 3**

Accreditation shall consist in the Head of Government or the authority thus empowered:

- designating and authorising a Minister who assumes the functions of the Council member in an acting capacity, or any other person of the rank of Minister, to attend Council meetings;

- conferring the necessary powers on the Minister or the duly accredited person of the rank of Minister.

**Article 4**

This regulation shall be published in the Official Journal of the Community within thirty (30) days upon 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 LOMÉ,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## REGULATION C/REG.7/12/99 ADOPTING A MASTER PLAN FOR THE DEVELOPMENT OF ENERGY PRODUCTION FACILITIES AND THE INTERCONNECTION OF THE ELECTRICITY GRIDS OF MEMBER STATES

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision A/DEC 3/5/82 dated 29 May, 1982 establishing the ECOWAS energy policy;

CONSIDERING that, notwithstanding the sub-region's abundant energy potential, the energy sector in West Africa is among the least developed in the world;

NOTING that this energy potential is unevenly distributed among the Member States;

CONCERNED at the continuing energy crisis in the sub-region;

DESIRING to take joint action to develop energy resources in the Member States in order to be better able to meet their development needs;

ON THE RECOMMENDATION of the first meeting of ECOWAS Ministers of Energy held in Accra on 5 November, 1999.

**ENACTS**

**Article 1**

The master plan for the development of energy production facilities and the interconnection of the electricity grids of Member States is hereby adopted as hereto attached.

**Article 2**

This regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thrity (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 within the same timeframe.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

**2.4. Elements of the Master Plan**

The Master Plan will be divided into 2 sections:

- development of power production plants;
- interconnection of electricity grids.

**2.5. Power Generation.**

For hydropower generation, the following sites have been selected: Bui (Ghana), Fomi, Fello Song and Sambangalou (Guinea), Salthino (Guinea-Bissau) Bumbuna (Sierra Leone), Manantali (Mali). The total installed capacity of the sites is 1010MW. The development of the sites will require about 1.7 billion US dollars. The proposed implementation period is 1998-2001.

Concerning thermal power generation, the existing power plants (particularly in Nigeria) need to be rehabilitated and new thermal combined cycle plants installed. These will use natural gas available in Nigeria and Cote d'Ivoire. However, the development of other resources existing in the region will be taken into account.

The proposed implementation schedules are 1998-2001 for rehabilitation of existing plants and 2002-2015 for new gas power generation plants. The estimated total installed capacity is 8879MW at an estimated cost of 8.3 billion US dollars.

## 2.6. Interconnection

The following tables indicate the routing and the length of high tension lines required for the interconnection project.

**Phase I (2000-2002).**

| Interconnection | Distance (KM) | Voltage (KV) | Status of Implementation (1998) |
|---|---|---|---|
| - Ikeja / Sakete | 70 | 330 | Bidding Document |
| - Sakete / Tema | 410 | 330 | Study |
| - Katsina / Maradi / Zinder | 260 | 132 | Completed |
| - Bolgatanga / Ouagadougou | 220 | 132 | Negotiation |
| - Bobodioulasso / Ferkessedougou | 300 | 225 | Under implementaton |
| - Ferkessedougou / Ouelessedougou | 280 | 225 | Study |
| - Bamako / Manantali | 275 | 225 | Under implementation |
| - Manantali / Dagana | 525 | 225 | Bidding |
| - Dagana / Nouakchott | 155 | 225 | Bidding |
| - Dagana / Sakal. | 127 | 225 | Bidding |
| - Freetown / Bumbuna | 200 | 161 | Under implementation. |

**PHASE 11(2002-2007).**

| Interconnection | Disfance (KM) | Voltage (KV) | Status of Implementation 1998 |
|---|---|---|---|
| - Conakry / Bumbuna | 93 | 90 | Study |
| - Conakry / Fomi | 280 | 225 | Engineering Study |
| - Fomi / Sélingué | 240 | 225 | Study |
| - Fomi / Man | 450 | 225 | Study |
| - Bissau / Saltinho | 152 | 225 | Study |
| - Dakar-Banjul | 275 | 225 | Study |
| - Banjul / Ziguinchor | 242 | 225 | Study |
| - Ziguinchor / Bissau | 100 | 225 | Study |
| - Maiduguri Dita | PM | 330 | Study |
| - Bobodioulasso / Ouagadougou | 300 | 225 | Study |
| - Man Monrovia | 450 | 225 | – |
| - Odienne Selingue | 259 | 150 | – |

## 2.7. Project Cost

The project cost, in thousands of US dollars, for the base scenario is spread over the various phases as follows:

| PHASE | | | | | |
|---|---|---|---|---|---|
| **PERIOD** | **1** | **2** | **3** | **4** | **TOTAL** |
| | **1997-2000** | **2001-2005** | **2006-2011** | **2011-2015** | |
| GENERATION PLANT | | | | | |
| HYDROELECTRIC | 595,000 | 837,706 | | | 1,425,392 |
| **THERMAL** | | | | | |
| - Fuel | 997,500 | 997,500 | | | |
| - Gas | | 837,706 | 2,177,970 | 2,922,253 | 5,937,929 |
| **SUB-TOTAL** | 1,592,500 | 1,668,028 | 2,177,970 | 2,922,253 | 8,360,821 |
| **TRANSMISSION** | | | | | |
| - MV Lines | 108,860 | 341,709 | | | 450,569 |
| - Sub-Stations | 32,238 | 197,453 | | | 139,691 |
| **SUB-TOTAL** | 141,098 | 449,169 | | | 590,260 |
| Contingency (20%) | 346,719 | 423,452 | 435,594 | 684,451 | 1,790,216 |
| **TOTAL** | **2,080,317** | **2,540,712** | **2,613,564** | **3,506,704** | **10,741,297** |

## REGULATION C/REG.8/12/99 RELATING TO THE REPRESENTATION OF WEST AFRICA ON THE BOARD OF THE GLOBAL ENVIRONMENT FACILITY

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Regulation C/REG.14/12/95 relating to the representation of Member States of ECOWAS on the Board of the Global Environment Facility (GEF);

MINDFUL of the Final Report of the Forty-fourth session of the Council of Ministers, held in Abuja from 18th to 20th August, 1999;

ON THE RECOMMENDATION of the twenty-fourth meeting of the Administration and Finance Commission, held in Lome from 27th November to 3rd December, 1999.

**ENACTS**

**Article 1**

The countries of West Africa are hereby constituted into two electoral colleges reflective of the two main ecological zones in the sub-region:

i) **Electoral college A:** Burkina Faso, Cape Verde, Gambia, Guinea Bissau, Niger, Mali, Mauritania, Senegal;

ii) **Electoral college B:** Benin, Cote d'Ivoire, Ghana, Guinea, Liberia, Nigeria, Sierra Leone, Togo.

**Article 2**

Only countries in the West African sub-region as contained on the list of the two electoral colleges A and B may represent West Africa on the Board of the Global Environment Facility (GEF).

**Article 3**

The two countries which currently represent West Africa as substantive members of the Board of the GEF, Burkina Faso and Cote d'Ivoire, shall occupy those seats until the end of their current tenure. Thereafter, they shall be replaced in 2001 by Senegal and Nigeria respectively.

**Article 4**

With effect from the year 2001, each country shall represent its group in accordance with the following established system of rotation.

i) **Electoral college A:**

Senegal
Cape-Verde
Gambia
Guinea-Bissau
Mali
Niger
Mauritania
Burkina Faso

ii) **Electoral college B:**

Nigeria
Benin
Ghana
Guinea
Liberia
Sierra Leone
Togo
Cote d'Ivoire

**Article 5**

The posts shall rotate as from 2001 as follows:

i) the country following the substantive member country shall be the alternate member;

ii) the substantive member country shall be replaced at the end of its mandate by the alternate member;

iii) the country which has just finished its mandate shall be placed at the bottom of the list.

**Article 6**

The duration of the mandate shall be three years.

**Article 7**

The mandate of the Substantive or the Alternate shall not be renewable.

**Article 8**

The Member States and the Executive Secretariat shall take every necessary measure to ensure application of this Regulation.

**Article 9**

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 within the same time-frame.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## REGULATION C/REG.9/12/99 APPROVING THE RESTRUCTURING OF THE EXECUTIVE SECRETARIAT

**THE COUNCIL OF MINISTERS,**

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

MINDFUL in particular of paragraph 2 (f), Article 10 of the Treaty which empowers the Council of Ministers to approve the organisational structure of the institutions of the Community;

CONSIDERING the need for the Executive Secretariat to adapt to the changes which have occurred in West Africa and elsewhere; and reorientate itself to integrate the Community into the new world order;

ALSO CONSIDERING the need for Member States to adopt new development strategies and policies that will accelerate the globalisation of their economies;

BEARING IN MIND the need to involve more actively the private sector and professional bodies in the community decision - making process particuiariy, the economic sector;

CONSIDERING the numerous achievements of ECOWAS in the areas of peace-keeping and security and in the development of roads, telecommunications and energy infrastructures and desiring to record similar achievements in areas of economic and financial policy harmonisation and the establishment of a customs union.

DETERMINED to put in place a reorganised Executive Secretariat, which will more effectively pursue the objectives of ECOWAS fulfilling hereby the expectations of Member States and the citizens of ECOWAS;

On the RECOMMENDATION of the third meeting of the Ad-hoc Ministerial Committee on the restructuring of the Executive Secretariat held in Lome from 1st to 2nd December, 1999;

**ENACTS**

**Article 1**

The restructuring of the Executive Secretariat as contained in the annexed to this Regulation is hereby approved.

**Article 2**

The Executive Secretary shall ensure full implementation of this Regulation, and shall make a report thereof to the forty-sixth session of the Council of Ministers.

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL**

ECW/AMCR II/2/REV.2

# RESTRUCTURING OF THE EXECUTIVE SECRETARIAT

LOME, DECEMBER 1999

**ECW/AMCR II/2/REV.2**

**PROPOSED RESTRUCTURING OF THE EXECUTIVE SECRETARIAT**

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ANNEXES

*NOTE: Modifications to the initial document ECW.AMRC.II/2 are written*

## I. INTRODUCTION

1. The Council of Ministers at its 32nd session held in Dakar from 4th to 5th December, 1992, approved Decision C/DEC.8/12/92 dated 5/12/92 mandating the Executive Secretariat to recruit a personnel management consultancy to audit all the posts in the ECOWAS organisation and conduct a study classifying all the posts and evaluating the duties assigned to each.

2. It was in execution of this mandate that the Executive Secretary, in 1993, requested the United Nations Economic Commission for Africa to conduct a detailed study of the posts assigned to the professional and general services staff in their ECOWAS institutions and make proposals for their evaluation and classification.

3. Subsequently, it became necessary to expand the terms of reference of the study to include an analysis of the entire administrative structure of the Executive Secretariat with a view to its reorganisation.

4. For reasons beyond the control of both the Executive Secretariat and the ECA, the study was not begun until April 1997. The Study report was submitted in January 1998.

5. In October 1998, the Executive Secretariat submitted a progress report on the study at the 43rd session of the Council of Ministers in Abuja. Council directed the Secretariat to prepare a detailed memorandum on the restructuring of ECOWAS. The document should take account of the orientations set out in the Revised Treaty, the proposals made by IDEP, the ECA study, and the observations and comments by ECOWAS institutions. The memorandum would be considered by the ad hoc ministerial committee to be established on the restructuring of the Executive Secretariat.

6. This memorandum before the ad hoc ministerial committee on the restructuring of the Executive Secretariat has been prepared pursuant to an analysis of the different reports and documents on the restructuring and rationalisation of the West African IGOs. It proposes a new structure built around two key ideas, namely:

- the need for restructuring pursuant to the application of the Revised treaty which entered into force in August 1995;

- the need for the Executive Secretariat to take into account and adapt to the changes which have occurred in West Africa and elsewhere in the last few years, and thereby ensure that the products of integration can be used to boost the economic development of the sub-region. The fundamental objective is to remove all obstacles to integration, and the new structure should reflect this;

- the need for ECOWAS Member States to adopt new development strategies and policies which will place them securely on the path to the globalisation of their economies. This is an unavoidable progression, and the private sector and professional bodies must increasingly be involved in the decision-making process within the economic sector.

7. The conditions under which ECOWAS presently operates are vastly different from those in place when the organisation was first established. ECOWAS has matured, and its responsibilities have increased. Consequently it is necessary, indeed vital, for the institution that formulates the ECOWAS development programmes and projects, to adapt to the new circumstances, not only because it must accord priority to achieving convergence of the dissimilar policies of its Member States, but also because it now has new issues to address. The new structure is designed to reflect:

- the absolute need to harmonise policies successfully;

- the fact that the tasks assigned te ECOWAS was extend to the new areas of peace, security and establishment of democratic rule. By

8. Decision A/DEC.12/7/91, the Heads of State and Government state that ECOWAS shall be recognised as ***"the sole economic community in West Africa for the purpose of regional integration and the realisation of the objectives of the African Economic Community"***. This declaration predates the Revised ECOWAS Treaty, which introduces the concept of de facto supranationality, since the decisions of the Authority and regulations of Council have force of law in the Member States and the ECOWAS institutions.

9. The foregoing makes it imperative for the following objectives to be pursued seriously, given the challenges before the Member States and the peoples of the sub-region as they strive to raise their living standards:

- to create a more efficient structure which will be less of a financial burden to the Member States; in other words, a structure which will more effectively pursue the objective of ECOWAS;

- to enhance the performance of the Executive Secretariat so that it can fulfil the expectations of the Member States and citizens of ECOWAS. The Executive Secretariat should be capable off providing a collective solution to the communal problems of the sub-region.

10. The new structure proposed by the Executive Secretariat has been arrived at after a critical analysis of the strengths and weaknesses of the existing structure. It should be accompanied, during the implementation stages, by a number of support measures.

## I. CRITICAL ANALYSIS OF THE EXISTING STRUCTURE

11. In response to the directives given by the October 1998 Council of Ministers, the Executive Secretariat examined the studies conducted by the ECA and IDEP, the Revised Treaty, the Staff regulations etc. It took into consideration the observations by the staff members and also compared the organisation in similar institutions (OAU, UEMOA, COMESA, SADC). All these documents reveal that although the present structure may have served well in the past, it is no longer adapted to the prevailing politico-economic environment. It handicaps in this regard are as follows:

i) The present structure is disarticulated. The base is too segmented and the whole system is top-heavy. Information does not circulate horizontally and consequently, the structure fails to reflect the multi-sectoral nature of the missions assigned to the Secretariat. This translates into too many posts for the jobs in hand. The structure does not fit the present environment; a new approach needs to be adopted which will ensure that all available

skills are fully exploited for the implementation of programmes which should extend well beyond the scope of the individual sectors.

ii) The structure is extremely unbalanced and hierarchical. This heavy emphasis on hierarchy lengthens the chain of command, with the result that there are more supervisors than workers. The 80 professional staff are classified as follows:

- 11 Directors (D1);
- 34 Heads of Divisions (P5);
- 28 Heads of Sections (P4);
- 2 Cadres (P3);
- 5 Cadres (P2);
- 0 Cadre (21)

This configuration delays the processing of documents. A lot of time is wasted getting documents to the base from the top and vice versa. This must be corrected by cutting down the levels of supervision.

iii) Another feature of the present structure is that directors and professional staff have very little authority. This is because the mechanism for delegation of power has never functioned within this structure. In the new structure, the Executive Secretary will be endowed with real powers and given wider autonomy to initiate actions in the interest of ECOWAS.

iv) A major impediment in the present structure is the existence of a quota system under which certain posts are permanently allocated to specific Member States. This was initially a response to the need to ensure distribution of supervisory posts in the institutions among all Member States, and is now obsolete. The original purpose of ensuring an even distribution of posts among Member States led to the imposition of quotas on all professionals.

12. The quota system presents three disadvantages for the Community and the staff:

- the system hinders normal professional advancement, staff become frustrated and lose incentive, since they retire from the institution on the same level at which they joined.
- the system prevents in-house promotion of deserving professional staff to vacant quota posts. The vacancy is filled by an officer of the same nationality as the outgoing staff member. The newcomer is then called upon to supervise officers who are more experienced and familiar with the running off ECOWAS, whereas he still needs a long time to adjust to the ECOWAS procedures.
- the system is inefficient, as its assignments cannot be adequately discharged because, by narrowing the range of candidates, it precludes the recruitment of the best postulants to the different areas of specialisation.

13. The principle of equitable geographical distribution which informs the quota system is a legitimate concern. However, there is no legal justification for the permanent allocation of posts to individual Member States. It is, in fact, mentioned only in the Staff Regulations which state "Quota posts shall be allocated by the Head of each institution to Member States on the recommendations of the Joint Advisory, Committee on Appointment, Promotions and Discipline". The Revised Treaty for its part, states in Article 185: " In appointing professional staff of the Community, due regard shall be had, subject to ensuring the highest standards of efficiency and technical competence, to maintaining equitable geographical distribution of posts among nationals of all Member States". It is clear that the duty of implementing the quota system should rest with the Executive Secretary, while the Member States have right of oversight as regards ensuring equitable geographical distribution. Although the quota system played a useful role in launching ECOWAS activities, its numerous drawbacks objectively necessitate its abolition in favour of a more flexible and streamlined alternative. Indeed, the Authority acknowledged the attendant problems when in 1997, it decided to throw open statutory posts to competition even if it would entail making amendments to the Revised Treaty.

## III. PROPOSALS FOR A NEW STRUCTURE

14. Based on the principles enumerated above, the following measures are being proposed for the new structure:

ii) the need for a structure to reflect the

priorities of the missions to be accomplished, and lay special emphasis on the integration of the economic policies of the Member States. This is an area in which ECOWAS must strive to make up for lost time;

iii) an approach which seeks to organise the structure around programmes that are, themselves, based on the main objectives pursued by ECOWAS. In other words, programmes which are the ECOWAS response to the challenge of integration within the limits of its financial constraints. The structure must be organised on the basis of specific and clearly defined strategies.

iv) a shorter chain of command, in line with the dictates of efficiency and modernity, and in order to conform with international standards for comparable structures. There should be no more than 3 levels to the chain of command, namely:

- management (the executive);
- programme supervision (the directorate);
- programme implementation (principal level of programme implementation).

iv) each level of the hierarchy must be given powers commensurate to its function in the decision making process.

v) Directors and programme officers should be able to exchange views and information with their colleagues in other international organisations and institutions.

vi) the quota system should be abolished and replaced by a flexible system, in the spirit of Article 18 of the Revised Treaty which stipulates an equitable geographical distribution of posts. Every citizen of ECOWAS must have a chance to participate in the building of the Community. The Executive Secretary shall report to Member States regularly on the distribution of posts within the institution. This new system should be able to make full use of the experience of its staff and provide them with incentives in the form of fair career prospects;

vii) wider powers for the Executive Secretary, particularly with regard to the functioning of the Executive Secretariat and to staff management;

viii) greater involvement of the private sector and professional associations in ECOWAS activities;

ix) uniformity within the structure in terms of the rank, function, responsibility, salaries and emoluments attached to posts of equivalent level. Professionals should be given a greater degree of responsibility for programme management. Nonetheless, ***distinctions should be made between*** the function and ***the grade.*** Job titles have been changed as indicated in the annex to this document.

x) as a general rule, programme heads should be recruited at a maximum level of P4 with the possibility of promotion on merit. Provision has been made for two grades, (P3 / P4) for example. The first grade (P3) will be occupied by a newly recruited officer while the second grade (P4) is for staff already at post who are promoted or redeployed.

xi) duplication of functions should be avoided as much as possible.

15. Based on the principles enumerated above, the following measures are being proposed:

- The post of Financial Controller has been abolished because the functions overlap with those of Internal Audit and, in particular, because the post of External Auditor exists;
- Because of the need to accord special attention to the harmonisation of policies, the former post of Deputy Executive Secretary, Economic Affairs is split into two (2) new posts:
  - Deputy Executive Secretary, Integration Programmes; and
  - Deputy Executive Secretary, Policy Harmonisation.

16. This sub-division is in acknowledgement of the fact that two types of action are required to achieve true integration:

- implementation for Community programmes, involving the pooling of available human, material and financial resources. ECOWAS has a proven track record in this area.

- establishment of an enabling institutional environment through harmonisation of policies in order to facilitate trade and, by implication, promote cooperation and integration. ECOWAS has fallen behind in this regard and has a long way to go to redress the situation.

These considerations make it necessary to create a new post of Deputy Executive Secretary, Community Programmes with responsibility for sectoral cooperation and a post of Deputy Executive Secretary, Policy Harmonisation. This later post will ensure that the strong impetus needed to regain lost ground is provided at top management level.

17. This division is based on the fact that although, to date, the ECOWAS focus of priority action has been on the implementation, of Integration programmes, it is now being called upon to establish a higher degree of harmonisation in the policies of the Member States in order to facilitate cooperation and accelerate the pace of sub-regional integration. This second post is being created to ensure greater coordination and effective monitoring of policy 8 implementation at the sub-regional level.

18. The post of Deputy Executive Secretary, Political Affairs and Sub-Regional Security is being created to take charge of the Executive Secretariat's new functions of ensuring peace and security.

19. Based on the above principles, the new structure will comprise the following:

**1. The Office of the Executive Secretary**

20. The provisions of the ECOWAS Treaty preclude any changes to the title of the head of the institution. The title "Executive Secretary" therefore remains. The Executive Secretary will be assisted by close collaborators who will function in a mainly advisory capacity within their respective areas of specialisation.

The Office of the Executive Secretary comprises:

- Director of Cabinet;
- The Secretariat of the Executive Secretary;
- Legal Affairs;
- Internal Audit;
- Department of Communication.

**16.1 The Director of Cabinet (D1)**

21. The post of Director of Cabinet is now made the equivalent of a director's post, in view of the duties which it will be assigned within the new structure. He is the principal adviser to the Executive Secretary.

- He shall assist the Executive Secretary in his duties of directing and monitoring and ensuring follow-up of the activities of the Executive Secretariat;
- He shall represent the Executive Secretary whenever necessary;
- He shall review documents and shall be responsible for organising working sessions between the Executive Secretary and the staff, personalities and visitors;
- He shall supervise the running of the Office of the Executive Secretary;
- He shall act as secretary and monitor meetings of the Management Committee (Executives).

**1.2 Legal Services**

22. The Legal Affairs shall be under the direct authority of the Executive Secretary and the Legal Advisers shall:

- issue legal opinions and advice;
- carry out the legal drafting of:
  * ECOWAS acts;
  * Draft conventions and contracts entered into by the Executive Secretariat.

23. Legal Services will also act as liaison between ECOWAS, the Community Court of Justice and the national jurisdictions of the Member States.

24. Legal Services will have of three legal advisers :

1 English-speaking, 1 French-speaking and 1 Portuguese-speaking. This to reflect the peculiarities of the legal systems in the three language zones within the Community.

- 1 D1 : Principal Legal Adviser;
- 1 P4/P5 : Legal Adviser;
- 1 P3/P4 : Legal Adviser.

**1.3 Internal Audit**

25. The Internal Audit Department reports directly to the Executive Secretary. It is responsible for pre- and post-auditing of finance, accounts and resource management. It advises the Executive Secretary in these matters.

26. The Internal Audit Department shall comprise:

- 1 D1 : Director of Internal;
- 1 P3/P4 : Audit Auditor.

**1.4 Department of Communication**

27. The Department of Communication is under the direct authority of the Executive Secretary. It is responsible for planning, coordination and supervision of activities relating to:

- information and communication;
- documentation.

28. Department of Communication comprises:

- 1 D1 : Director of Communication;
- 1P4/P5 : Information and Communication Officer;
- 1P4/P5 : Documentation Officer.

**The Deputy Executive Secretary, Administration and Finance**

29. The Deputy Executive Secretary, Administration and Finance assists the Executive Secretary who may delegate his powers to him as necessary. The office of the Deputy Executive Secretary (Administration and Finance) comprises 3 departments, each headed by a Director who is assisted by one (1) or more administrative officers or specialists recruited as the requirements of the tasks assigned may dictate.

***2.1. The Department of Administration***

30. The Department of Administration and Finance is under the direct authority of the Deputy Executive Secretary, Administration and Finance. The Director is responsible for coordination, supervision and monitoring in the following areas:

- personnel management;
- general services and maintenance;
- conference organisation.

31. The Department is made up of

- 1 D1 : Director, Administration and Finance;
- 1 P4/P5 : Principal Officer, Human Resources Management;
- 1 P4/P5 : Head of General Services and Maintenance;
- 1 P1/P2 : Human Resources Management Assistant;
- I P4/P5 : Conference Officer;
- 6 P4/P5 : Interpreters (2 English, 2 French, 2 Portuguese.)
- 2 P4/P5 : Revisors (1. English, 1 French)
- 8 P4/P5 : Translators (3 English, 3 French, 2 Portuguese)

32. The Conference Officer shall be in charge of Interpretation, Translation and Protocol Services.

***2.2. Department of Finance***

33. The Department of Finance is under the direct authority of the Deputy Executive Secretary, Administration and Finance. The Director of Finance is responsible for:

- budget preparation and execution;
- receiving income and settle expenditure chargeable to the budgets;
- entering into the accounts books income and expenditure relating to the various activities of the Executive Secretariat and the fixed assets.

34. Composition of the Department of Finance

- 1 D1 : Director;
- 1 P4/P5 : Budget Officer;
- 1 P4/P5 : Chief Accountant;
- 1 P2/P3 : Accountant.

**3. Deputy Executive Secretary for Integration Programmes**

35. He assists the Executive Secretary, who may delegate authority to him. His outfit shall comprise: four (4) technical departments and the Community Computer Centre. Each department shall be headed by a Director (D1). Each Director shall be assisted by one ormore Programme Officers appointed as dictated by the programmes for implementation or the scheduled assignments.

***3.1. Department of Agriculture, Rural Development and Environment***

36. The Department of Agriculture, Rural Development and Environment is responsible for planning, coordination and monitoring of programmes in the following areas:

- agricultural development and food security;
- environment and natural resources.

The Department of Agriculture, Rural development and Environment comprises:

- 1 D1 : Director, Agriculture, Rural Development and Environment
- 1 P4/P5 : Principal Programme Officer, Agricultural Development and Food Security, responsible for food security;
- 1 P4/P5 : Principal Programme Officer, Environment and Rural Development;
- 1 P3/P4 : Programme Officer Agricultural Development;
- 1 P3/P4 : Programme Officer Environment;
- 1 P3/P4 : Programme Officer, Livestock;
- 1P3/P4 : Programme Officer, Fisheries

***3.2. Infrastructures and Industry Department***

37. The Department of Infrastructures and Development is responsible for planning, co-ordinating and monitoring the implementation of programmes in the following areas:

- transport;
- telecommunications;
- energy and industry;

The Department of Infrastructures and Industry comprises:

- 1D1 : Director, Infrastructure and Industry;
- 1 P4/P5 : Principal Programme Officer, Transport;
- 1 P4/P5 : Principal Programme Officer, Telecommunications;
- 1 P4/P5 : Principal Programme Officer, Energy and Industry;
- 1 P3/P4 : Programme Officer, Transport.

***3.3. Department of Human Resource Development***

39. The Department of Human Resource Development is responsible for formulating, co-ordinating and monitoring policies and programmes on:

- health, education, teaching;
- culture, activities and social and sports associations;
- scientific research.

40. The Department of Human Resource Development comprises:

- 1 D1 : Director, Human Resource Development;
- 1 P4/P5 : Principal Programme Officer, Teaching, Culture, Drug Control;
- 1 P3/P4 : Programme Officer, Social and Cultural Affairs;
- 1 P4/P5 : Principal Programme Officer, Scientific and Technological Research.

### *3.4. Community Computer Centre*

41. The Community Computer Centre is headed by a Director on Grade D1. He is responsible for:

- the computerisation of the Community institutions and the national customs and statistical administrations and processing of statistics in Member States;
- collection and processing of economic, financial and social data;
- providing assistance and advice to Member States in the compilation of external trade and customs data;
- training of officers from Member States and the Community Institutions;
- software development.

42. The Community Computer Centre comprises:

- 1 D1 : Director, Community Computer Centre;
- 1 P4/P5 : Principal Programme Officer, Assistance to Member States and institutions;
- 1 P4/P5 : Principal Programme Officer, Software Development;
- 1 P3/P4 : Programme Officer, Assistance to Member States;
- 1 P2/P3 : Accountant

43. The CCC will continue to serve as a specialised technical centre in order to preserve its autonomy and enjoy continued access to external funding. However, it should move to Abuja for reasons outlined further on in the chapter on Support Measures" (Chapter IV).

## 4. Deputy Executive Secretary for Policy Harmonisation

44. He assists the Executive Secretary, who may delegate authority to him. The outfit comprises two departments. Each department shall be headed by a Director (D1), who will be assisted by one or several programme officers recruited as required for the programmes to be implemented or scheduled assignments.

### *4.1. Department of Trade and Customs Policies*

44. The Department of Trade and Customs Policies is responsible for coordinating and harmonising common policies in the following areas:

- liberalisation of intra-community trade and customs union;
- customs duties and internal indirect taxes;
- common external tariff (CET);
- compensation of loss of revenue;
- customs valuation;
- trade expansion;
- competition;
- anti-dumping code;
- export promotion mechanisms;
- tourism;
- informal trade.

48. The Department of Trade and Customs Policies comprises:

- 1 D1 : Director, Trade and Customs Policies;
- 1 P4/P5 : Principal Programme Officer, Trade Liberalisation and Customs Union;
- 1 P3/P4 : Programme Officer, Trade Expansion and Competition;
- 1 P3/P4 : Programme Officer, Trade Liberalisation and Customs Union;
- 1 P4/P5 : Principal Programme Officer, Tourism;
- 1 P4/P5 : Programme Officer, informal Trade.

### *4.2. Department of Economic Policies*

47. The Department of Economic Policies is responsible for the co-ordination and harmonisation of common policies in the following areas:

- monetary cooperation;

- economic analysis;
- multilateral surveillance of convergence and performance of macroeconomic policies;
- statistical standards and database;
- coordination of external assistance and relations with IGOs;
- investment and private sector.

48. The Department of Economic Policies comprises:

- 1 D1 : Director, Economic Policies;
- 1 P4/P5 : Principal Programme Officer, Monetary Cooperation;
- 1 P4/P5 : Programme Officer, Economic Research;
- 1 P3/P4 : Programme Officer, Multilateral Surveillance;
- 1 P4/P5 : Principal Officer, Statistical Standards;
- 1 P3/P4 : Programme Officer, Statistical Standards;
- 1 P4/P5 : Principal Programme Officer, Coordination of External Assistance;
- 1 P4/P5 : Principal Programme Officer, Investment and Private Sector.

### 5. *Deputy Executive Secretary for Political Affairs and Peacekeeping*

49. He assists the Executive Secretary, who may delegate authority to him as the need arises. His unit comprises one (1) department headed by a Director (D1), who shall be assisted by one or more programmers and one or more experts recruited on the basis of the programmes to be implemented and scheduled assignments.

### 5.1 *Department of Political Affairs and Peacekeeping*

50. The Department of Political Affairs and Peacekeeping coordinates policy measures adopted by Member States to ensure effective implementation of the provisions set out in the Treaty, and in the conventions on human and peoples rights signed by Member States. It will also oversee relations with national parliaments and the Community Parliament. In addition, it will coordinate the regional observation centres envisaged within the context of the ECOWAS conflict prevention and management mechanism.

51. It will also be responsible for the elaboration, coordination and monitoring of:

- planning of any movement of peace-keeping forces;
- application of the protocol on free movement of persons, right of residence and establishment in Member States;
- control of cross-border crime and management of refugees.

52. The Department of Political Affairs and Peacekeeping comprises:

- 1 D1 : Director, Political Affairs and Peacekeeping;
- 1 P4/P5 : Principal Programme Officer, Immigration;
- 1 P4/P5 : Principal Programme Officer, Political Affairs;
- 1 P4/P5 : Principal Programme Officer, Peace-keeping;
- 1 P3/P4 : Programme Officer, Peacekeeping;
- 1 P3/P4 : Programme Officer, Political Affairs.

53. The revised draft organisation chart is attached as Annex 1A Rev.2

### 6. Auxiliary Staff (G and M)

54. From the point of view of international standards, the number of auxiliary staff on grades G and M is far too large, the strength being currently 196. In order to rectify the situation, it would be necessary that measures be taken to ensure that a ratio of 1 professional staff to 2 auxiliary staff is adopted. This ratio is the basic performance indicator used by international crganisations to make staff estimates. The optimal number of auxiliary staff required for 74 professionals is, therefore, 148. The number of staff in these categories must be reduced.

55. Initially, with regard to G category staff, provision could be made for 2 secretaries, one of whom will be a confidential secretary. For M category staff, a security company might be appointed instead of permanent security guards at the Secretariat. Also, each department will have only one messenger. The number of drivers should be based on the number of vehicles in the fleet, thus there should be one driver per vehicle, plus three additional drivers to ensure regular services.

## IV. SUPPORT MEASURES

56. The following support measures will need to be taken in association with the new structure:

### 1. *Evaluation and Appointments Procedure*

- Before staff are redeployed and the new structure is implemented, it would be expedient to evaluate the performance of all staff in order to identify those who can best fit into the new structure.
- the staff appointment procedure should be reviewed to make it more efficient.
- a staff member whose performance evaluation is satisfactory shall, upon being redeployed, retain his former grade, where this salary is not higher than the maximum for the post he is being offered. He may be promoted if he is found to be competent.
- appointments to fill posts which do not feature in the new structure should be frozen until it becomes operational.

### 2. *Promotion*

57. When the quota system is abolished, the Executive Secretary should be mandated to promote staff who will have demonstrated efficiency and achieved a high level of productivity in their areas of activity, as a way of motivating them further and promoting their career development. However, in carrying out such promotion, due regard must be given to the following:

- qualification and ability;
- budgetary constraints because promotion will not be automatic. Like two yearly increments, it will be based on merit. At any rate, any person who is redeployed under the new structure will retain his/her earned benefits.

### 3. *Compensatory Measures*

58. Compensatory measures to be taken in the event of voluntary retirement or abolition of posts as a result of the restructuring process should be at least the same as those approved for the ECOWAS Fund staff, namely, payment of a special allowance equal to 12 months salary.

59. In the case of voluntary retirement, the approved maximum age is 53 years. The financial implications of staff going on voluntary retirement should be included in the budget.

### 4. *Transition Period*

60. A transition period of 12 months effective from the date of adoption of the new structure should be fixed to enable the following measures necessary for its smooth operation, to be implemented gradually:

- equipping the Secretariat with a computer networking system;
- computer training for all staff members, especially word processing and spreadsheet application;
- staff training, retraining and updating of their knowledge;
- better organisation of work;
- improvement of internal communication within the Executive Secretariat.

61. The measures enumerated above should be accompanied by an enabling working environment, a spirit of camaraderie and teamwork, discipline and respect for hierarchy, all of which are founded on ability, duty-consciousness and efficiency.

62. Because of the numerous and diverse factors that will shape the course of our Community's development, the new organisational structure will therefore be reviewed and amended periodically.

### 5. *Transfer of the Community Computer Centre from Lomé to Abuja*

63. In theory as in practice, the CCC is an integral part of the Executive Secretariat. It was sited in

Lomé for reasons of convenience (problems of communication, connection environment and use of machines). The CCC's primary role is to cater to internal computerisation needs. It is involved in the execution of the Secretariat's programmes. Unfortunately, because the Centre is located so far away, the Executive Secretariat is unable to oversee and monitor its operation. CCC assistance to the Executive Secretariat is expected to further enhance the execution of programmes in Member States. To this end, the idea that led to the establishment of the CCC requires that the Centre be transferred to the Secretariat Headquarters to provide its services to Community programmes. Abuja offers a more conducive environment than the conditions existing in Lagos at the time. The fact that it is in Abuja does not in any way imply an end to its assistance and advice to Member States. Its presence in Abuja will accelerate the computerisation of the Executive Secretariat and may enable staff members to constantly update their knowledge.

## V. FINANCIAL IMPLICATIONS

64. The financial implications as regards professional staff is based on the staff strength on the new organisation chart. A comparative analysis of the attached tables indicating the status of professional staff before and after the restructuring process shows a reduction in the Executive Secretariat operating budget.

65. For the calculation of the financial implications concerning the G and M staff, a professional staff/ auxiliary staff ratio close to the one used by similar oganisations should be applied. This ratio is based on the standard practice of one (1) professional staff to two (2) auxiliary staff.

66. The figures below are for the new number of statutory and professional staff after restructuring shows that there will be 79 professionals, and for the reduced number of auxiliary staff. If the above ratio is applied, there should be a corresponding number of 158 support staff (G and M), a surplus of 38 persons.

67. If we take the scenario whereby the number of staff to be made redundant were to be M category staff, the financial implications would be as follows:

- for professional staff (D and P) = **UA 32 310;**
- auxiliary staff (G and M) = **UA 78 833**

= **UA 111 143**

**PRESENT STRUCTURE SHOWING STATUTORY AND PROFESSIONAL POSTS**

| Department | Statutory Appointees | D1 | P5 | P4 | P3 | P2 | P1 | Total |
|---|---|---|---|---|---|---|---|---|
| Statutory Appointees | 4 | | | | | | | 4 |
| Legal Affairs | | 1 | 1 | | | | | 2 |
| Internal Audit | | 1 | | | 1 | | | 2 |
| Administration | | 1 | 11 | 10 | | | | 22 |
| Finance | | 1 | 1 | 1 | | 3 | | 6 |
| Social & Cultural Affairs | | 1 | 2 | | | | | 3 |
| Information | | 1 | 1 | | | | | 2 |
| ERS | | 1 | 3 | 3 | | | | 7 |
| Industry, Agriculture & Natural Resources | | 1 | 3 | 3 | 1 | | | 8 |
| Trade, Customs, Immigration, Money & Payments | | 1 | 5 | 6 | | | | 12 |
| Transport, Communications & Energy | | 1 | 3 | 3 | | | | 7 |
| Community Computer Centre | | 1 | 3 | 3 | | 2 | | 8 |
| Personal Assistant | | 1 | | | | | | 1 |
| **TOTAL** | **4** | **11** | **34** | **28** | **2** | **5** | | **84** |

**DISTRIBUTION OF STATUTORY AND PROFESSIONAL POSTS AFTER RESTRUCTURING**

| Department | Statutory Appointees | DI | PS | P4 | P3 | P2 | P1 | Total |
|---|---|---|---|---|---|---|---|---|
| Statutory Appointees | 5 | | | | | | | 5 |
| Personal Assistant | | 1 | | | | | | 1 |
| Legal Adviser | | 1 | 1 | 1 | | | | 3 |
| Internal Audit | | 1 | | 1 | | | | 2 |
| Administration | | 1 | 19 | | | 1 | | 21 |
| Finance | | 1 | 2 | | 1 | | | 4 |
| Communication | | 1 | 2 | | | | | 3 |
| Rural Development & Environment | | 1 | 2 | 2 | 2 | | | 7 |
| Infrastructure | | 1 | 3 | 1 | | | | 5 |
| Human Development | | 1 | 2 | 1 | | | | 4 |
| Community Computer Centre | | 1 | 2 | 1 | 1 | | | 5 |
| Trade & Customs Policy | | 1 | 2 | 2 | 1 | | | 6 |
| Economic Policies | | 1 | 5 | 2 | | | | 8 |
| Peace-keeping & Immigration | | 1 | 5 | 1 | | | | 2 |
| Political Affairs | | 1 | | 2 | 2 | | | 5 |
| **TOTAL** | **5** | **13** | **40** | **13** | **7** | **1** | | **79** |

## VII CONCLUSION

The proposed structure will reduce both the staff strength and the operational cost of the Executive Secretariat, and boost performance. The Committee is hereby requested to examine the proposals and make appropriate recommendation to the decision-making authorities of ECOWAS.

**FINANCIAL IMPLICATIONS OF STATUTORY AND PROFESSIONAL POSTS**

| | BEFORE | | AFTER | | VARIATION | |
|---|---|---|---|---|---|---|
| **CATEGORIES** | **No.** | **COST UA** | **No.** | **COST UA** | **No.** | **COST UA** |
| Statutory Appointees | 4 | 142.492 | 5 | 175.375 | +1 | +32.883 |
| Directors | 11 | 321.905 | 13 | 380.434 | +2 | +58.528 |
| P5 | 34 | 873.257 | 40 | 1.027.362 | +6 | +154.105 |
| P4 | 28 | 617.796 | 13 | 286.834 | -15 | -330.962 |
| P3 | 2 | 36.894 | 7 | 151.952 | +5 | +115.058 |
| P2 | 5 | 77.778 | 1 | 15.556 | -4 | -62.222 |
| P1 | - | - | - | - | - | - |
| **TOTAL** | **84** | **2.070.123** | **79** | **2.037.513** | **-5** | **-32.610** |

## Annex Ib

## TITLES OF PROFESSIONAL POSTS IN THE NEW STRUCTURE (cf. Organisational Unit - Annex 1a)

**1. OFFICE OF THE EXECUTIVE SECRETARY**

**1. Executive Secretary**
1.1 Director of Cabinet
1.2. Principal Legal Adviser
1.2.1 Legal Adviser
1.2.2 Legal Adviser

***1.3 Internal Auditor***
1.3.1 Auditor
1.4 Director of Communication
1.4.1 Media and Public Relations Officer
1.4.2 Documentation Officer

**2. DEPUTY EXECUTIVE SECRETARY, ADMINISTRATION AND FINANCE**

***2.1. Director, Administration***
2.1.1 Human Resources Manager
2.1.2 Conference Officer
2.1.2.1 Interpreters
2.1.2.2 Revisors
2.1.2.3 Translators
2.1.3 General Services and Maintenance Officer
2.1.3.1 General Services and Maintenance Assistant

***2.2 Director of Finance***
2.2.1 Budget Officer
2.2.2 Chief Accountant
2.2.3 Accountant

**3. DEPUTY EXECUTIVE SECRETARY, INTEGRATION PROGRAMMES**

***3.1 Director of Agriculture, Rural Development and Environment***
3.1.1 Principal Programme Officer, Agricultural Development and Food Security
3.1.2 Principal Officer, Environment and Natural Resources
3.1.3 Programme Officer, Agricultural Development
3.1.4 Programme Officer, Livestock
3.1.5 Programme Officer, Fisheries
3.1.6 Programme Officer, Environment

***3.2 Director, Infrastructures and Industry***
3.2.1 Principal Programme Officer, Transport
3.2.2 Principal Programme Officer, Telecommunications
3.2.3 Principal Officer, Energy and Industry

***3.3 Director, Human Resource Development***
3.3.1 Principal Programme Officer, Education and Health
3.3.2 Principal Programme Officer, Cultural and Social Affairs
3.3.3 Principal Officer, Scientific and Technological Research

***3.4 Director, Community Computer Centre***
3.4.1 Principal Officer, Assistance to Member States and Institutions
3.4.2 Principal Officer, Software Development

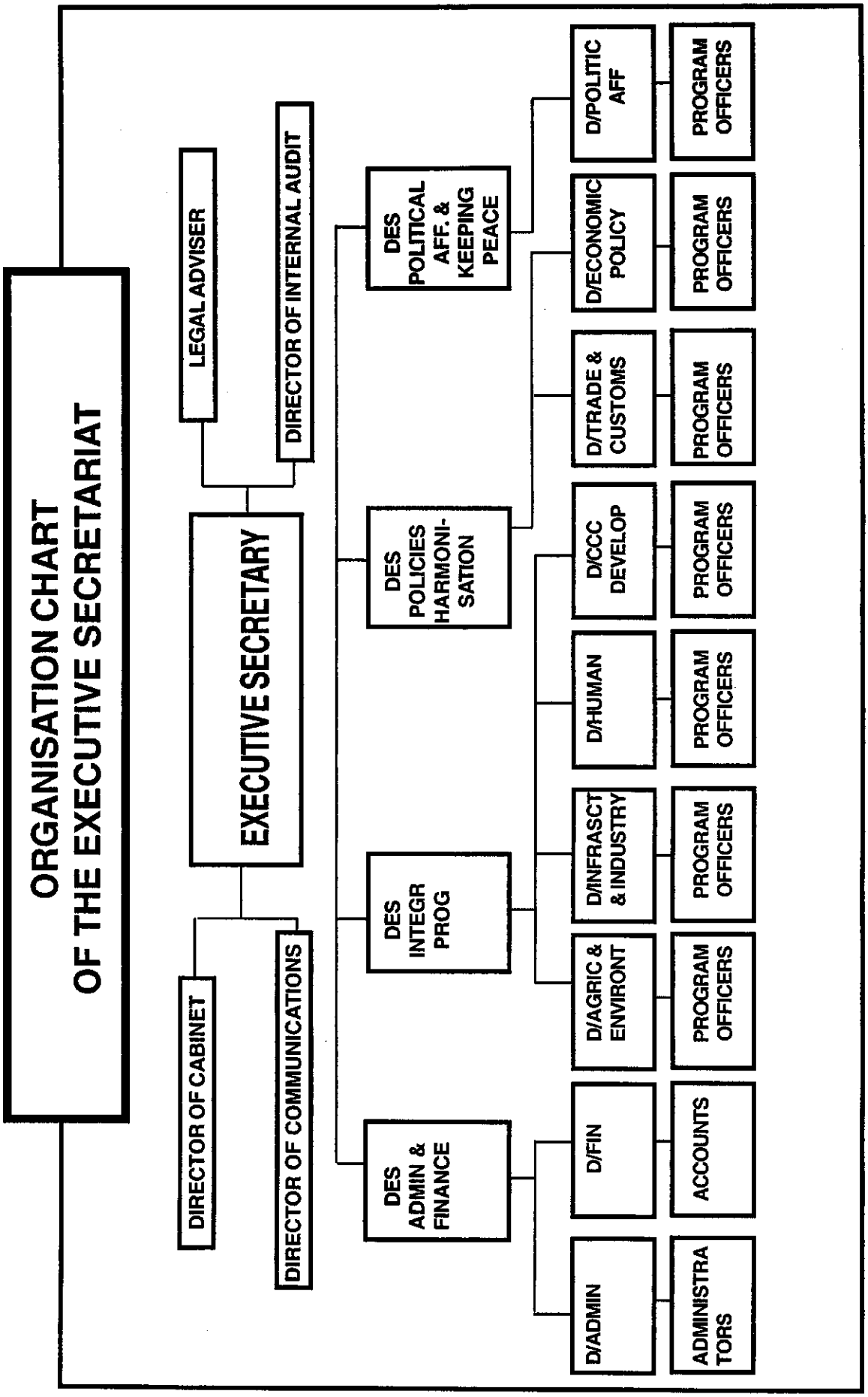
**4. DEPUTY EXECUTIVE SECRETARY, POLICY HARMONISATION**

***4.1 Director, Trade and Customs Policy***
4.1.1 Principal Programme Officer, Trade Liberalisation and Customs Union
4.1.2 Programme Officer, Trade Development a and Competition
4.1.3 Principal Programme Officer, Tourism
4.1.4 Programme Officer, Informal Trade

***4.2 Director, Economic Policies***
4.2.1 Principal Programme Officer, Monetary Cooperation
4.2.2 Principal Programme Officer, Economic Analysis and Multilateral Surveillance
4.2.3 Principal Programme Officer, Statistical Standards and Data Bank
4.2.4 Principal Programme Officer, Coordination, External Assistance
4.2.5 Principal Officer, Investment and Private Sector

**5. DEPUTY EXECUTIVE SECRETARY, POLITICAL AFFAIRS AND PEACEKEEPING**

***5.1 Director, Political Affairs***
5.1.1 Principal Officer, Political Affairs
5.1.2 Principal Programme Officer, Peacekeeping
5.1.3 Principal programme Officer, Immigration
5.1.4 Programme Officer, Political Affairs
5.1.5 Programme Officer, Peacekeeping


ORGANISATION CHART
OF THE EXECUTIVE SECRETARIAT
DIRECTOR OF CABINET
LEGAL ADVISER
EXECUTIVE SECRETARY
DIRECTOR OF COMMUNICATIONS
DIRECTOR OF INTERNAL AUDIT
DES ADMIN & FINANCE
DES INTEGR PROG
DES POLICIES HARMONI-SATION
DES POLITICAL AFF. & KEEPING PEACE
D/ADMIN
D/FIN
D/AGRIC & ENVIRONT
D/INFRASCT & INDUSTRY
D/HUMAN
D/CCC DEVELOP
D/TRADE & CUSTOMS
D/ECONOMIC POLICY
D/POLITIC AFF
ADMINISTRA TORS
ACCOUNTS
PROGRAM OFFICERS
PROGRAM OFFICERS
PROGRAM OFFICERS
PROGRAM OFFICERS
PROGRAM OFFICERS
PROGRAM OFFICERS
PROGRAM OFFICERS

## REGULATION C/REG.10/12/99 APPOINTING PROFESSOR MOUSSA ADAMA MAIGA AS THE DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the Protocol establishing the West African Health Organisation adopted by the Heads of State and Government on 9th July, 1987;

MINDFUL of Article IX of the said Protocol relating to the post of Deputy Director-General of the Organisation;

MINDFUL of paragraph 4 (a), Article 18 of the Revised Treaty on the appointment of statutory appointees to the Institutions of the Community;

ON THE RECOMMENDATION of the third meeting of the Assembly of ECOWAS Health Ministers held in Lomé, Togo on 30th and 31st July, 1998;

**ENACTS**

**Article 1**

1. Professor Moussa Adama MAIGA is hereby appointed as the Deputy Director-General of the West African Health Organisation for a four (4) year term from the date he assumes duty.

2. This appointment may be renewed once by the Council of Ministers for another term of four (4) years.

**Article 2**

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 within the same time-frame.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN, FOR COUNCIL.**

## REGULATION C/REG.11/12/99 ABOLISHING THE POST OF FINANCIAL CONTROLLER OF THE COMMUNITY INSTITUTIONS

**THE COUNCIL OF MINISTERS,**

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

CONSIDERING that the post of Financial Controller of the Institutions of the Community was established by the repealed 1975 ECOWAS Treaty;

ALSO CONSIDERING that the Revised Treaty does not make any provisions for the past of Financial Controller;

RECOGNIZING the fact that the functions of the Financial Controller duplicate those of both the Internal and External Auditors, and has no relevance in the new organisational structure of the Executive Secretariat and other Institutions of the Community;

DESIRING to streamline and rationalise all posts in the Institutions of the Community;

On the RECOMMENDATION of the third meeting of the ad hoc Ministerial Committee on the restructuring of the Executive Secretariat held in Lomé on 1st and 2nd December, 1999;

**ENACTS**

**Article 1**

1. The post of Financial Controller of the Institutions of the Community is hereby abolished.

2. All functions hitherto performed by the Financial Controller under mandate given by any Decisions, Regulations and Resolutions of ECOWAS; in particular the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS shall henceforth be carried out by the Directors of Internal Audit of the Institutions of the Community and the External Auditor as appropriate.

**Article 2**

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL.**

## REGULATION C/REG.12/12/99 REVIEWING THE REMUNERATION OF THE EXTERNAL AUDITORS

**THE COUNCIL OF MINISTERS;**

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

MINDFUL of paragraph 3 (d) Article 10 of the Treaty relating to the appointment and terms and conditions of service of the External Auditors;

MINDFUL of Regulation C/REG.10/12/95 reviewing the remuneration of the External Auditors;

CONSIDERING that the remuneration of the External Auditors was fixed since 1995 and now needs to be reviewed due to rising cost of services;

ON THE RECOMMENDATION of the Twenty-Fourth Meeting of the Administration and Finance Commission held in Lomé from 26th November to 3rd December, 1999;

**ENACTS**

**Article 1**

1. A lump sum of eighty thousand (80,000) Units of Account is hereby fixed as the new annual remuneration of the External Auditors with effect from the 2000 financial year. This sum shall cover all expenses, including fees, perdiem, transportation and all other related expenses.

2. The Executive Secretariat and the ECOWAS Fund shall make equal contributions for the payment of the fees of the External Auditors.

**Article 2**

The provisions of Articles 2, 3, and 4 of Regulation C/REG.10/12/95 dated 13th December, 1995 of the Council of Ministers shall govern the mode and conditions of payment for services rendered as well as submission of reports by the External Auditor and its attendance at ECOWAS Meetings.

**Article 3**

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community, within thirty (30) days from the day of signature by the Chairman of the Council. It shall also be published by each Member State in its National Gazette, within the same time-frame as above.

**DONE IN LOME,**
**THIS 7TH DAY OF DECEMBER, 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL.**

## REGULATION C/REG.13/12/99 ON THE ADDITIONAL 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 ECOWAS Revised Treaty 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;

MINDFUL of Decisions C/DEC.3/6/88 and C/DEC.4/7/92 of the Council of Ministers dated 21st June, 1988 and 25th July, 1992 respectively and 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 liberalisatien scheme for products originating from Member States of the Community;

ON THE RECOMMENDATION of the Fortieth meeting of the Trade, Customs, Immigration, Money and Payments Commission, held in Lomé from 22nd - 23rd November, 1999.

**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 the ECOWAS customs declaration form, and shall inform Member States accordingly;

**Article 3**

The approval originally granted to the underlisted companies shall be recorded as follows:

***a) Nigeria:***

- GUINEA GLASS PLC to be registered as No 5660030191 in place of CMB TOYO Glass Plc;
- PATTERSON ZOCHONIS to be registered as No 5660050192 in place THERMOCOOL Engineering Company Plc,

***b) Senegal:***

- CHOLOSEN to be registered as Number 6860010199 in place of PATISEN,

**Article 4**

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

**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 within the same time-frame.

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999.**

**ABDOUL HAMID S.B. TIDJANI DOURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL.**

# *LIST OF APPROVED ENTERPRISES AND INDUSTRIAL PRODUCTS*

## LIST OF APPROVED ENTERPRISES AND INDUSTRIAL PRODUCTS
*LISTE DES ENTREPRISES ET PRODUITS INDUSTRIELS AGREES*

| **Identity of enterprises by Member States** *Identité des Entreprises par Etats Membres* | **ECOWAS tarrif No.** *Position TarifaireNo CEDEAO* | **PRODUCTS** *Désignation des produits* | **Approval Number** *Numéros d'agréement* | | | |
|---|---|---|---|---|---|---|
| | | | **Country. Code** *Code du Pays* | **No Enterprise** *No. de l'entreprise* | **Product No** *No Produit* | **Year** *Année* |
| **I. BENIN** | | | | | | |
| 1. FLUDOR - Bénin | 1512.29.00 | *Huile de coton raffinée*/ Refined cotton-seed oil | 204 | 002 | 01 | 99 |
| 2. Société des Industries Textiles du Bénin | 5209.11.00 | *Tissus de coton, contenant au moins 85% en poids de coton, d'un poids excèdant 200g/m²: écrus, à armure toile* / Woven fabrics of cotton, containing 85% or more by weight of coton, weighing more than 200g/m²: unbleached, plain weave. | 204 | 003 | 01 | 99 |
| **II. GHANA** 1. Paterson Zochonis Industries Ltd. | 3004.39.00 | *Autres médicaments ne contenant pas d'antibiotiques* / Medicaments not containing antibiotics | 288 | 022 | 01 | 99 |
| | 3004.90.00 | *Médicaments conditionnés pour la vente au détail en vue d'usages thérapeutiques ou prophylactiques* / Medicaments for therapeutic or prophylactic uses | 288 | 022 | 02 | 99 |
| | 3303.00.90 | *Parfums et eaux de toilettes* / Perfumes and toilet waters | 288 | 022 | 03 | 99 |
| | 3307.20.00 | *Désodorisants* / Deodorants | 288 | 022 | 04 | 99 |
| | 3401.11.90 | *Savons* / Soaps | 288 | 022 | 05 | 99 |
| | 3402.11.00 | *Détergents* / Detergents | 288 | 022 | 06 | 99 |
| | 3808.40.00 | *Désinfectants* / Disinfectants | 288 | 022 | 07 | 99 |
| 2 .Poly Products (GH).Ltd. | 3916.90.00 | *Profilés en polyethylène* / Polyethelene rolls | 288 | 023 | 01 | 99 |
| 3. Scanstyle MIM Ltd. | 9403.90.00 | *Parties de meubles* / furniture parts | 288 | 024 | 01 | 99 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 4. Latex Foam Rubber Products Ltd. | 9404.29.00 | *Matelas en matières plastiques alvéolaires /* Foam mattresses | 288 | 025 | 01 | 99 |
| 5. NEOPLAN (GH) Ltd | | - *Véhicules automobiles pour le transport de 10 personnes ou plus, chauffeur inclus /* Motor vehicles for the transport of 10 or more persons, including the driver: | | | | |
| | 8702.90.12 | - *comportant 23 à 30 places assises, chauffeur inclus /* with 23 to 30 seater vehicles including the driver | 288 | 026 | 01 | 99 |
| | 8702.90.13 | - *comportant plus de 30 places assises, chauffeur inclus /* above 30seater vehicles, including the driver | 288 | 026 | 02 | 99 |
| 6. Ghana Oil Palm Dev. Co. Ltd. (GOPDC) | 1513.29.00 | *Huile de palmiste /* Palm kernel | 288 | 027 | 01 | 99 |
| 7. Ghana Biscuit Company Ltd. | 1905.30.00 | *Biscuits/*Sweet biscuits | 288 | 028 | 01 | 99 |
| 8. Food Processors International (GH) Ltd. | 2104.10.90 | *Autres préparations pour soupes, ou bouillons; soupes ou bouillons préparés /* Soups and broths and preparations therefore (Palmnut cream concentrate) | 288 | 029 | 01 | 99 |
| | 1102.90.90 | *Farines d'autres céréales /* Cereal flours | 288 | 029 | 02 | 99 |
| 9. Ghana Rubber Prod. Ltd. | 6402.99.00 | *Autres chaussures à semelles extérieures et dessus en caoutchouc ou en matière plastique /* Other footwear with outer soles and uppers of rubber or plastics. | 288 | 030 | 01 | 99 |
| | 4008.21.90 | *Autres plaques, feuilles et bandes en caoutchouc non alvéolaire /* Other plates, sheets and strip | 288 | 030 | 02 | 99 |
| | 4008.29.00 | *Feuilles en caoutchouc non alvéolaire /* Sheets of non-cellular rubber | 288 | 030 | 03 | 99 |
| | 4008.11.10 | *Plaques, feuilles et bandes pour semelles /* Plates, sheets and strip for making soles (micro sheets) | 288 | 030 | 04 | 99 |

## LIST OF APPROVED ENTERPRISES AND INDUSTRIAL PRODUCTS
*LISTE DES ENTREPRISES ET PRODUITS INDUSTRIELS AGREES*

| **Identity of enterprises by Member States** *Identité des Entreprises par Etats Membres* | **ECOWAS tarrif No.** *Position TarifaireNo CEDEAO* | **PRODUCTS** *Désignation des produits* | **Approval Number** *Numéros d'agréement* | | | |
|---|---|---|---|---|---|---|
| | | | **Country. Code** *Code du Pays* | **No Enterprise** *No. de l'entreprise* | **Product No** *No Produit* | **Year** *Année* |
| | 4017.00.00 | *Caoutchouc durci; ouvrages en caoutchouc durci* / Hard rubber; articles of hard rubber | 288 | 030 | 05 | 99 |
| 10. Zenith Plastics (GH) Ltd. | 3923.21.00 | *Sacs et sachets en polymères de l'étylène* / Sacks and bags of polymers of ethylene | 288 | 031 | 01 | 99 |
| 11. Tema Steel Company Ltd. | 7325.91.00 | *Boulets et articles similaires pour broyeurs* / grinding balls and similar articles for mills | 288 | 032 | 01 | 99 |
| | 7216.10.00 | *Profilés, en U, en I ou en H, simplement laminés ou filés à chaud, d'une hauteur de moins de 80mm* / U, I or H sections, hot-drawn or extruded of a height of less than 80mm<br><br>*Profilés en L ou en T, ... d'une hauteur de moins de 80mm* / L or T sections ..., of a height of less than 80mm : | 288 | 032 | 02 | 99 |
| | 7216.21.00 | - L sections | 288 | 032 | 03 | 99 |
| | 7216.22.00 | - T sections | 288 | 032 | 04 | 99 |
| | | *Profilés en U, en I ou en H, ... d'une hauteur de 80mm ou plus* / U, i, H sections ... of a height of 80mm or more | | | | |
| | 7216.31.00 | - U sections | 288 | 032 | 05 | 99 |
| | 7216.32.00 | - I sections | 288 | 032 | 06 | 99 |
| | 7216.33.00 | - H sections | 288 | 032 | 07 | 99 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | 7216.40.00 | *- Profilés en L ou en T, d'une hauteur de 80mm ou plus* / L or T sections of a height of 80mm or more | 288 | 032 | 08 | 99 |
| | 7216.50.00 | *Autres profilés, simplement laminés ou filés à chaud* / Other angles, shapes and sections | 288 | 032 | 09 | 99 |
| | | *- Profilés simplement obtenus ou parachevés à froid* / Angles, shapes and section, not further worked than cold-formed or cold-finished: | | | | |
| | 7216.61.00 | *- Obtenus à partir de produits laminés plats* / Obtained from flat-rolled products | 288 | 032 | 10 | 99 |
| | 7216.62.00 | *- Autres*/Other | 288 | 032 | 11 | 99 |
| | 7216.91.00 | *- Obtenus ou parachevés à froid à partir de produits laminés plats* / Cold-formed or cold finished from flat-rolled products | 288 | 032 | 12 | 99 |
| | 7216.99.00 | *Autres* / Other | 288 | 032 | 13 | 99 |
| 12. President Electronics and Manufacturing Ltd. P.O. Box 9840 | 8528.12.19 | *Appareils récepteurs de télévision* / Reception apparatus for television | 288 | 033 | 01 | 99 |
| North Industrial Area Accra, Ghana | 8415.10.00 | *Appareils pour le conditionnement de l'air (climatiseurs)* / Air conditioning machines | 288 | 033 | 02 | 99 |
| 13. KGM Industries Ltd. | 3924.10.00 | *Vaisselle et autres articles pour le service de la table ou de la cuisine* / Tableware and kitchen- ware. | 288 | 034 | 01 | 99 |
| | 9503.90.00 | *Autres jouets* / Plastic toys | 288 | 034 | 02 | 99 |
| | 3916.20.00 | *Monofilaments en polymères de chlorure de vinyle* / monofilament of polymers of vinyle chloride | 288 | 034 | 03 | 99 |
| 14. Parlays Ghana Ltd. | 1905.90.00 | *Biscuits* / biscuits | 288 | 035 | 01 | 99 |
| 15. Packrite Cartons & Industries Ltd. | 4819.10.00 | *Boîtes et caisses en papier ou carton ondulé* / Cartons, boxes and cases of corrugated paper or paperboard | 288 | 036 | 01 | 99 |
| 16. Ghacem Ltd. | 2523.29.00 | *Ciments Portland* / Portland Cement | 288 | 037 | 01 | 99 |

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|---|---|---|---|---|---|---|
| | | | **Country. Code** *Code du Pays* | **No Enterprise** *No. de l'entreprise* | **Product No** *No Produit* | **Year** *Année* |
| 17. Phyto-Riker (GITTOC) Pharma-ceutical Ltd. | 3004.90.00 | *Médicaments présentés sous forme de doses ou conditionnés pour la vente au détail /* Medicaments put up in measured doses or in forms or packings for retail sale:<br>- *Comprimés et capsules* / Tablets and capsules<br>- *Sirops*/Liquids - syrups | 288 | 038 | 01 | 99 |
| 18. DOMOD Company Ltd | 7615.19.00 | - *Articles de ménage ou d'économie domestique et leur parties en aluminium* / table, kitchen or other household articles and parts thereof. | 288 | 039 | 01 | 99 |
| | 7615.20.00 | - *Articles d'hygiène ou de toilette et leurs parties* / Sanitary ware and parts thereof. | 288 | 039 | 02 | 99 |
| **III. NIGERIA**<br>1. Paterson Zochonis Industries PLC. | 1511.10.10 | *Huile de palme et ses fractions* / Palm oil and its fraction | 566 | 042 | 01 | 99 |
| | 1513.11.10 | *Huiles de coco* / Coconut oil | 566 | 042 | 02 | 99 |
| | 1520.00.00 | *Glycérol brut; eaux et lessives glycérineuses* / Glycerol crude; glycerol water and glycerol lyes | 566 | 042 | 03 | 99 |
| | 2839.19.00 | *Silicates de sodium* / Alcaline sodium silicate | 566 | 042 | 04 | 99 |
| | 2904.10.00 | *Acide sulfoniques* / Sulphonic acid | 566 | 042 | 05 | 99 |
| | 2905.45.00 | *Glycérol* / Glycerol | 566 | 042 | 06 | 99 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | 2922.21.00 | *Sulfonate de sodium* / Sodium sulphonate | 566 | 042 | 07 | 99 |
| | 3305.20.00 | *Préparations pour l'ondulation ou le défrisage des cheveux* / Preparations for waving or straightening of the hair | 566 | 042 | 08 | 99 |
| | 4811.40.00 | *Papiers et cartons enduits, imprégnés de cire ou de glycérol* / Paper and paperboard impregnated with wax or glycerol | 566 | 042 | 09 | 99 |
| | 4819.20.00 | *Boîtes et cartonnages* / Cartons, boxes and cases | 566 | 042 | 10 | 99 |
| | 7310.29.00 | *Réservoirs, bidons, fûts et récipients similaires* / Lids, tins and similar metallic containers | 566 | 042 | 11 | 99 |
| | 8201.10.00 | *Bêches et pelles* / Shovels and spades | 566 | 042 | 12 | 99 |
| | 8418.21.00 | *Réfrigérateurs*/Refrigerators | 566 | 042 | 13 | 99 |
| | 8418.30.00 | *Congélateurs* / Freezers | 566 | 042 | 14 | 99 |
| | 8415.10.00 | *Appareils pour le conditionnement de l'air (climatiseurs)* / Air conditioning machines | 566 | 042 | 15 | 99 |
| | 3923.90.00 | *Autres articles de transport ou d'emballage en matières plastiques* / Articles for the conveyance or packing of goods, of plastics | 566 | 042 | 16 | 99 |
| 2. West African Milk Company (Nig) | 0402.29.29 | Lait en poudre / Powdered Milk (Three crowns) | 566 | 043 | 01 | 99 |
| | 0402.99.00 | *Lait concentré ou évaporé non sucré* / Concentrated or evaporated milk (Three Crowns & Peak) | 566 | 043 | 02 | 99 |
| 3. NULEC | | *Supports préparés pour l'enregistrement du son ou pour enregistrements analogues mais non enregistrés* / Prepared unrecorded media for sound recording or similar recording of other phenomena: | | | | |
| | 8523.12.00 | - *bandes magnétiques* / magnetic tapes:<br>- *d'une largeur excèdant 4mm mais n'excèdant pas 6,5 mm* / of width exceeding 4mm but not exceeding 6.5mm | 566 | 044 | 01 | 99 |

## LIST OF APPROVED ENTERPRISES AND INDUSTRIAL PRODUCTS
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|---|---|---|---|---|---|---|
| | | | **Country. Code** *Code du Pays* | **No Enterprise** *No. de l'entreprise* | **Product No** *No Produit* | **Year** *Année* |
| | 8523.13.00 | *- d'une largeur excédant 6,5mm* / of a width exceeding 6.5mm | 566 | 044 | 02 | 99 |
| 4. T.S.G. (Nig.) Ltd. | 7007.11.00 | *Verres trempés, de dimensions permettant leur emploi dans les automobiles* / Toughened safety glass | 566 | 045 | 01 | 99 |
| | 7007.21.00 | *Verres formés de feuilles contre-collées utilisés dans les automobiles* / Laminated safety glass | 566 | 045 | 02 | 99 |
| 5. BETA Industries Ltd. | 7010.92.10 | *Bouteilles, bonbonnes et flacons d'une contenance excèdant 0,33L mais n'excèdant pas 1L* / Carboys, bottles and flasks of a capacity exceeding 0,33L but not exceeding 1L. | 566 | 046 | 01 | 99 |
| | 7010.92.20 | *Bocaux, pots et autres récipients similaires* / Jars, pots and similar containers of glass | 566 | 046 | 02 | 99 |
| | 7010.93.10 | *Bouteilles, bonbonnes et flacons d'une contenance excèdant 0,15L mais n'excèdant pas 0,33L* / Carboys, bottles and flasks of a capacity exceeding 0,15L but not exceeding 0,33L | 566 | 046 | 03 | 99 |
| 6. GUINEA GLASS PLC. | 7010.92.10 | *Bouteilles, bonbonnes et flacons d'une contenance excèdant 0,33L mais n'excèdant pas 1L* / Carboys, bottles and flasks of a capacity exceeding 0,33L but not exceeding 1L. | 566 | 047 | 01 | 99 |
| | 7010.92.20 | *Bocaux, pots et autres récipients similaires* / Jars, pots and similar containers of glass | 566 | 047 | 02 | 99 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | 7010.93.10 | *Bouteilles, bonbonnes et flacons d'une contenance excèdant 0,15L mais n'excèdant pas 0,33L* / Carboys, bottles and flasks of a capacity exceeding 0,15L but not exceeding 0,33L | 566 | 047 | 03 | 99 |
| **IV. SENEGAL**<br>1. Les Câbleries du Sénégal | 8544.11.00 | *Fils pour bobinages en cuivre* / Winding wire of copper | 686 | 004 | 01 | 99 |
| | 8544.20.00 | *Câbles coaxiaux et autres conducteurs éléctriques* / Co-axial cable and other electric conductors | 686 | 004 | 02 | 99 |
| | 8544.30.00 | *Jeux de fils pour bougies d'allumage et autres jeux de fils des types utilisés dans les moyens de transport* / Ignition wiring sets and other wiring sets of kind used in vehicles. | 686 | 004 | 03 | 99 |
| | 8544.59.00 | *Autres conducteurs éléctriques* / Other electric conductors:<br><br>- *Séries* / serial U-1000 R2V/AR2V<br>- *Séries* / serial H07 VU/VR<br>- *Séries* / serial H07 VK/H05 VK<br>- *Série* / serial H05 VVF<br>- *Séries* / serial FRN05 VVU/VVR<br>- *Câbles de téléphone* | 686 | 004 | 04 | 99 |
| 2. Colgate Palmolive Senegal - NSOA | 3401.19.10 | - *Savons ordinaires* / Household soaps | 686 | 005 | 01 | 99 |
| | 3401.11.90 | - *Savons de toilette* / Soaps for toilet use | 686 | 005 | 02 | 99 |
| | 3401.20.00 | - *Savons sous autres formes* / Soaps in other forms | 686 | 005 | 03 | 99 |
| | 2828.90.10 | - *Hypochlorite de sodium (eau de javel)* / Sodium hypochlorite (bleach) | 686 | 005 | 04 | 99 |
| | 3306.10.00 | - *Dentifrices* / dentifrices | 686 | 005 | 05 | 99 |
| | 3405.40.00 | - *Poudres à récurer* / Scouring powders | 686 | 005 | 06 | 99 |
| | 2905.45.00 | - *Glycérol* / Glycerol | 686 | 005 | 07 | 99 |

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|---|---|---|---|---|---|---|
| | | | **Country. Code** *Code du Pays* | **No Enterprise** *No. de l'entreprise* | **Product No** *No Produit* | **Year** *Année* |
| 3. Compagnie Commerciale et Industrielle du Sénégal (CCIS) | 3904.22.00 | - *Granulés PVC* / Granule PVC | 686 | 006 | 01 | 99 |
| | 3917.21.10 | - *Tuyaux polyéthylène* / Tubes of polythylene | 686 | 006 | 02 | 99 |
| | 3917.23.10 | - *Tuyaux PVC* / Tubes of PVC | 686 | 006 | 03 | 99 |
| 4. Afric-Energy SA | 8506.10.11 | *Piles électriques de type R20* / Flashlight and radio batteries | 686 | 007 | 01 | 99 |
| | 8506.10.19 | *Autres piles électriques de type R6* / Other flashlight and radio batteries | 686 | 007 | 02 | 99 |
| 5. SENAC-ETERNIT | 3209.10.20 | *Peintures à base de polymères synthètiques dispersés dans un milieux aqueux (peinture à eau)* / Paints based on synthetic polymers, dispersed in an aqueous medium (emulsion paint) | 686 | 008 | 01 | 99 |
| | ex. 3208.90.20 | *Peintures à base de polymères synthètiques ispersés dans un milieux non aqueux (peinture à huile)* / Paints based on synthetic polymers dispersed or disvolved in a non-aqueous medium (gloss paint) | 686 | 008 | 02 | 99 |
| | ex. 3208.90.20 | *Autres peintures à base de polymères synthétiques dispersés ou dissous dans un milieux non aqueux* / Other paints based on synthetic polymers dispersed in a non-aqueous medium. | 686 | 008 | 03 | 99 |
| | 3208.10.00 | *Vernis à base de polyesters dispersés ou dissous dans un milieu non aqueux* / Varnishes based on polyesters. | 686 | 008 | 04 | 99 |
| | 3214.10.10 | *Mastic de vitrier et autres mastics* / Glaziers' putty, grafting putty and other mastics | 686 | 008 | 05 | 99 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | 3214.10.20 | *Enduits utilisés en peinture* / Painter's fillings | 686 | 008 | 06 | 99 |
| | 3814.00.00 | *Solvants et diluants organiques composites, non dénommés ni compris ailleurs* / Organic composite solvents and thinners | 686 | 008 | 07 | 99 |
| | 6811.10.00 | *Plâques ondulées* / Corrugated sheets | 686 | 008 | 08 | 99 |
| | 6811.20.00 | *Autres plâques, panneaux, carreaux, tuiles et articles similaires* / Other sheets, panels, tiles & similar articles | 686 | 008 | 09 | 99 |
| 6. NITPROMER BP. 4246, Dakar | 2301.20.00 | *Farines de poissons* / Flours of fish | 686 | 009 | 01 | 99 |
| 7. CHOCOSEN | 1806.90.90 | *Autres préparations alimentaires contenant du cacao et du chocolat* / Other preparations containing cocoa and chocolate: - *Pâte à tartiner* (chocoleca) - boisson chocolatée | 686 | 010 | 01 | 99 |
| | 2104.10.90 | *Bouillons préparés* / broths | 686 | 011 | 02 | 99 |
| | 2008.11.10 | *Pâte d'arachide* / Peanut butter | 686 | 012 | 03 | 99 |
| **V. TOGO** 1. Italian Trade Sarl | 6403.99.00 | *Autres chaussures semelles extérieures en cuir ou matières plastiques* / Footwear with outer soles of leather or plastic | 768 | 004 | 01 | 99 |
| 2. Société de Transformation Industrielle de Lomé/STIL.SA | 7214.10.00 | *Barres en fer simplement forgées* / Iron bar simply forged | 768 | 005 | 01 | 99 |
| | 7214.20.00 | *Barres en fer ou acier ayant subi une torsion après laminage* / Other bars and rods of iron twisted after rolling | 768 | 005 | 02 | 99 |
| | 7214.91.00 | *Autres barres en fer ou aciers de section transversale rectangulaire* / Other bars and rods of iron of rectangular cross-section | 768 | 005 | 03 | 99 |
| | 7214.99.00 | *Autres barres en fer ou en aciers* / Other bars and rods of iron | 768 | 005 | 04 | 99 |
| | 7215.50.00 | *Barres en fer ou en aciers simplement obtenues* | 768 | 005 | 05 | 99 |

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| | | *ou parachevées à froid* / bars and rods of iron not further worked than cold-formed or cold finished | | | | |
| | 7215.90.00 | *Autres barres en fer ou aciers non alliés* / Other bars and rods of iron non-alloy steel | 768 | 005 | 06 | 99 |
| | 7217.20.00 | *Fils en fer ou en aciers zinguées* / Wire of iron coated with zinc | 768 | 005 | 07 | 99 |
| | 7217.90.00 | *Autres fils en fer ou en aciers* / Other wire of iron | 768 | 005 | 08 | 99 |
| | 7217.10.00 | *Fils en fer ou en aciers non alliés non revêtus, même polis* / not plated or coated, whether or not polished | 768 | 005 | 09 | 99 |
| | 7317.00.00 | *Pointes et clous* / Nails and tacks | 768 | 005 | 10 | 99 |
| | 7314.20.00 | *Treillis soudés* / welded netting and fencing | 768 | 005 | 11 | 99 |
| 3. SOTOTOLES | 7216.50.00 | *Autres profilés, simplement laminés ou filés à chaud* / Other angles, shapes and section | *768* | *003* | *22* | *99* |
| | 7317.00.00 | *Clous, pointes* / Nails, tacks | 768 | 003 | 23 | 99 |

## REGULATION C/REG.14/12/99 RELATING TO THE ADOPTION OF STANDARDS FOR THE CLASSIFICATION OF HOTELS, MOTELS AND GUEST INNS

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision C/DEC.1/7/91 dated 3rd July, 1991 adopting the programme of activities for tourism;

CONSIDERING the importance of tourism activities in the economy of each Member State;

RECOGNISING the need to guarantee a uniform standard of accommodation as a means of encouraging and facilitating the joint promotion of tourism products in West Africa;

RECOGNISING the need to coordinate tourism development activities in the Member States with a view to achieving the integration of this sector within the sub-region;

AWARE of the need to create and maintain a high standard for tourism in the sub-region and thereby boost the flow of tourists to the Member States;

ON THE RECOMMENDATION of the fortieth meeting of the Trade, Customs, Immigration, Money and Payments Commission held in Lame from 22nd to 23rd November, 1999.

**ENACTS**

**Article 1**

The standards for the classification of hotels, motels and guest inns annexed hereto are hereby adopted.

**Article 2**

The classification standards referred to in Article 1 above shall not be applicable to boarding houses, holiday resorts, camps and camping sites and rest houses, which shall continue to be governed by national law.

**Article 3**

Existing hotels and similar establishments, including those establishment which are presently still under construction, shall be given a deadline of 6 years within which to conform to the prescribed standards.

**Article 4**

There is hereby established in each Member State a Classifications Commission which shall be headed by the Minister for Tourism or his/her representative.

**Article 5**

The Classification Commission shall be composed of the desk officers of the ministries responsible for tourism and representatives of associations of professions including hoteliers, travel agents, restauranteurs and drinks retailers.

**Article 6**

All applications for classification shall be submitted to the Classifications Commission which shall classify as appropriate.

**Article 7**

Any classified establishment may be downgraded from its original category.

**Article 8**

An establishment may be downgraded for failure to conform to the standards prescribed for its category. It may equally be downgraded for failure to maintain its buildings and installations in good condition, and generally, when the establishment fails to provide satisfactory services and to keep up the necessary standard of moral conduct and professional competence.

**Article 9**

The downgrading of a classified establishment shall be carried out by a decision of the Minister for Tourism on the advice of the Commission provided in Article 4 above.

**Article 10**

i) A sub-regional Monitoring Committee shall be set up comprising the Chairman of the Classifications Committee of the country holding the current Chairmanship of ECOWAS, a representative of the ECOWAS National Unit of that country and a representative of the Executive Secretariat. The Committee shall be charged with carrying out an annual tour of inspection of the Member States to verify compliance with the prescribed hotel standards.

ii) The sub-region monitoring committee shall make

recommendations on the classification of hotels, inns and motels. It is empowered to recommend downgrading.

**Article 11**

Approved establishments shall display a plaque bearing the ECOWAS logo and colours which shall be issued by the Minister for Tourism.

**Article 12**

The classification establishments shall fly the ECOWAS flag at their entrance.

**Article 13**

ECOWAS Member States and the Executive Secretariat shall be jointly and severally responsible for the implementation of this Regulation.

**Article 14**

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

TCIMP/AD-HOC/HOTEL/3

# STANDARDS FOR CLASSIFICATION OF HOTELS, MOTELS AND GUEST INNS

EXECUTIVE SECRETARIAT,

LOME, NOVEMBER 1999.

## STANDARDSFOR CLASSIFICATION OF HOTELS, MOTELS AND GUEST INNS

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2. Categories of establishment
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   2.2 Motels, guest inns, hostels

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B. SPECIFIC PROVISIONS

Specific standards

I CLASSIFICATION OF FOURTH CLASS HOTELS, MOTELS AND GUEST INNS: 1 STAR.

1. ROOMS
1.1 Minimum number
1.2 Minimum ceiling height
1.3 Minimum floor area in m²
1.4 Flooring
1.5 Bathrooms and toilets
1.6 Ventilation - air conditioning
1.7 TV, telephone, radio
1.8 Electrical fittings
1.9 Room furnishings

2. PUBLIC AREAS
2.1 (Reception) Lobby
2.2 Restaurant
2.3 Bar
2.4 Public Conveniences
2.5 Telephone and postal services

3. HOTEL SERVICES
3.1. Guest services (wake-up, laundry, housekeeping)
3.2 Foreign languages
3.3 Health facilities
3.4 Guest information
3.5 Drinking water
3.6 Billing and payments

4. SECURITY -HYGIENE - INSURANCE
4.1 Security
4.2 Hygiene
4.3 Alternative power source

5. STAFF
5.1 Staff strength and qualifications
5.2 Uniforms
5.3 Staff conveniences
5.4 Changing rooms

6. HOTEL ENVIRONS
6.1 Access
6.2 Location
6.3 Car Park

II. CLASSIFICATION OF THIRD CLASS HOTELS, MOTELS AND GUEST INNS : 2 STARS

1. ROOMS
1.1 Minimum number
1.2 Minimum ceiling height
1.3 Minimum floor area in m²
1.4 Bathrooms and toilets
1.5 Ventilation -air conditioning
1.6 TV, telephone, radio
1.7 Electrical fittings
1.8 Room furnishings
1.9 Corridors and exits

2. PUBLIC AREAS

2.1 Reception
2.2 Lobby
2.3 Restaurant
2.4 Bar
2.5 Public conveniences
2.6 Technical installations

3. HOTEL SERVICES
3.1 Guest services (wake-up call, housekeeping)
3.2 Foreign languages
3.3 Health facilities
3.4 Guest information
3.5 Drinking water
3.6 Billing and payments
3.7 Hairdressing salon
3.8 Safe deposit boxes

4. SECURITY - HYGIENE - INSURANCE
4.1 Security
4.2 Hygiene
4.3 Insurance

5. STAFF
5.1 Staff strength and qualifications
5.2 Uniforms
5.3 Staff conveniences
5.4 Changing rooms

**6. HOTEL ENVIRONS**
6.1 Access
6.2 Location
6.3 Car Park
6.4 Service entrance

**III. CLASSIFICATION OF SECOND CLASS HOTELS, MOTELS AND GUEST INNS : 3 STARS**

**1. ROOMS**
1.1 Minimum number
1.2 Minimum ceiling height
1.3 Minimum floor area in m²
1.4 Bathrooms and toilets
1.5 Ventilation -air conditioning
1.6 Tv, telephone, radio
1.7 Security
1.8 Electrical fittings
1.9 Room Furnishings
1.10 Corridors and exits

**2. PUBLIC AREAS**
2.1 Reception
2.2 Lobby
2.3 Restaurant
2.4 Bar
2.5 Conference rooms
2.6 Public conveniences
2.7 Sports facilities
2.8 Technical installations

**3. HOTEL SERVICES**
3.1 Guest services (wake-up call, housekeeping)
3.2 Foreign languages
3.3 Business centre
3.4 Health facilities
3.5 Guest information
3.6 Drinking water
3.7 Billing and payments
3.8 Hairdressing salon
3.9 Safe deposit boxes

**4. SECURITY - HYGIENE - INSURANCE**
4.1 Security
4.2 Hygiene
4.3 Insurance

**5. STAFF**
5.1 Staff strength and qualifications
5.2 Uniforms
5.3 Staff conveniences
5.4 Changing rooms

**6. HOTEL ENVIRONS**
6.1 Access
6.2 Location
6.3 Car Park
6.4 Service entrance

**IV CLASSIFICATION OF FIRST CLASS HOTELS: 4 STAR**

**1. ROOMS**
1.1 Minimum number
1.2 Minimum ceiling height
1.3 Minimum floor area in m²
1.4 Bathrooms and toilets
1.5 Ventilation -air conditioning
1.6 TV, telephone, radio
1.7 Security
1.8 Electrical fittings
1.9 Room furnishings
1.10 Corridors and exits

**2. PUBLIC AREAS**
2.1 Reception
2.2 Lobby
2.3 Restaurant
2.4 Bar
2.5 Conference rooms
2.6 Public conveniences
2.7 Sports facilities
2.8 Technical installations

**3. HOTEL SERVICES**
3.1 Guest services (wake-up call, housekeeping)
3.2 Foreign languages
3.3 Business Centre
3.4 Health facilities
3.5 Guest information
3.6 Drinking water
3.7 Billling and payments
3.8 Safe deposit boxes
3.9 Hairdressing salon

**4. SECURITY - HYGIENE - INSURANCE**
4.1 Security
4.2 Hygiene
4.3 Insurance

**5. STAFF**
5.1 Staff strength and qualifications
5.2 Uniforms
5.3 Staff conveniences
5.4 Changing rooms

**6. HOTEL ENVIRONS**
6.1 Access
6.2 Location
6.3 Car Park
6.4 Service entrance

## V. CLASSIFICATION OF LUXURY HOTELS : 5 STAR

### 1. ROOMS
1.1 Minimum number
1.2 Minimum ceiling height
1.3 Minimum floor area in m²
1.4 Bathrooms and toilets
1.5 Ventilation -air conditioning
1.6 TV, telephone, radio
1.7 Security
1.8 Electrical fittings
1.9 Reom furnishings
1.10 Corridors and exits

### 2. PUBLIC AREAS
2.1 Reception
2.2 Lobby
2.3 Restaurant
2.4 Bar
2.5 Conference rooms
2.6 Public conveniences
2.7 Sports facilities
2.8 Technical installations

### 3. HOTEL SERVICES
3.1 Guest services (wake-up call, housekeeping)
3.2 Foreign languages
3.3 Business centre
3.4 Health facilities
3.5 Guest information
3.6 Drinking water
3.7 Billing and payments
3.8 Bureau de change
3.9 Hairdressing saloon
3.10 Safe deposit boxes

### 4. SECURITY - HYGIENE - INSURANCE
4.1 Security
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## A. GENERAL CLASSIFICATION

### 1. Definitions

For the purposes of these regulations, a hotel on any similar establishment catering for the tourist trade shall be defined as an establishment providing sleeping accommodation to the public by way of trade or business, such accommodation being payable on a daily basis, or in the case of a longer period of occupancy, payable weekly or monthly, provided that the occupant is not permanently resident therein. The establishment may provide restaurant facilities and may be open for business either all year round or seasonally.

Tourist establishments as defined above shall include hotels, motels, holiday resorts, hostels, inns and rest houses:

- a hotel is required to meet the standard set for hotel premises and management;
- an inn lays greater emphasis on its restaurant facilities than on sleeping accommodation. It is sited in an area outside agglomerations.
- a motel should be located on the outskirts, or in the countryside near a major highway. Its guests are generally drivers in transit. Motel buildings may be laid out as independent units or as a single block of independent units. A garage or car port is located in the immediate vicinity of the rooms. They generally operate all year round.

1. Holiday resorts, hostels and rest houses which are additional forms of accommodation are virtually non-existent or very poorly developed in ECOWAS Member States. They are included here for information only. Their classification will be examined whenever the level of their development so warrants.

2. Categories of establishment
Hotels and similar establishments are classified according to a set of required minimum standards. Each class is identified by a specific number of stars indicative of the degree of comfort provided.

2.1 Hotels:

| | | | |
|---|---|---|---|
| - | 4th Class | : | 1 star |
| - | 3rd Class | : | 2 stars |
| - | 2nd Class | : | 3 stars |
| - | 1st Class | : | 4 stars |
| - | Luxury | : | 5 stars. |

2.2. Inns and Motels

- Category C : 1 star;
- Category B : 2 stars;
- Category A : 3 stars.

Classified establishments are required to display on the main facade, a plaque indicating their class, and modelled on the pattern approved by the ECOWAS decision-making authorities.

### 3. *General Standards for all Categories*

All hotels and similar establishments in all categories should meet the following minimum requirements :

***Lobby:*** The lobby should be suitably furnished and afford unobstructed access to such additional facilities as a restaurant, bar or night club.

***Rooms:*** The minimum number of rooms required for hotels is 10. Each room should be well lit and ventilated by at least one window open to the exterior. All rooms should be numbered or otherwise marked so as to be clearly identifiable from the outside.

***Bathrooms and Toilets:*** Bathrooms and sanitary installations may be separated and in such cases should occupy the following minimum area : Bathroom - 2m²; shower - 2m²; W.C. with or without wash-basin - 2m². Where the facilities are all grouped together, they should occupy a minimum area of 4m². Electric lighting should be a minimum 40 W.

A socket should be provided for an electric shaver and all plugs and sockets located beyond the reach of an occupant soaked in water.

***Reception Area:*** Rooms should be accessible from the reception without passing through the bar or restaurant.

The front desk should be manned on a 24-hr basis. Alternatively, a bell should be provided to allow guests to summon an attendant.

Windows and other external openings in the bedrooms should be provided with either external shutters or persian blinds,or curtained to exclude daylight.

## B. DETAILED CLASSIFICATION

## I. STANDARDS FOR FOURTH CLASS HOTELS, MOTELS AND GUEST INNS: 1 STAR

### 1. ROOMS

1.1. Minimum number of Rooms: 10

1.2. Minimum Ceiling Height:
Entrance - 2.3m; room - 2.5m

1.3. Minimum floor area in sq.m.

- Minimum floor area, excluding bathroom/ WC, entrance and wardrobe space:
  - single rooms : 10 m²
  - double rooms : 12 m²

1.4 Floering: Each room should be properly tiled.

1.5 Bathroom / WC:

- a wash basin and stand with hot and cold running water at all times;
- a recessed or standing shower with a fixed shower head and non-slip floor;
- minimum size, including the WC, which should be separated from the other sanitary installations : 4 m²;
- shower and WC should be separated by a fixed partition measuring 2m, or by a folding or sliding door;
- one common WC per floor or for every 3 rooms without WC;
- toilet roll dispenser;
- towel rack;
- toilet soap;
- air freshener in WC.

1.6 Ventilation - air conditioning : Single air conditioning units or half units muffled for sound, or by natural cross-ventilation.

1.7. TV, telephone, radio :

- Colour television should be provided in each room at no extra cost. Alternatively, colour television should be placed at guests' disposal in a common sitting area;
- Telephone:
  * a closed, soundproof phone booth should be provided for the use of guests;
  * a bell should be installed in the rooms .

1.8. Electrical fittings

1.8.1 Rooms: 10w/m² from a main light source (overhead, wall bracket or lamp) and one bedside lamp or wall bracket per room occupant.

1.8.2. WC and Bathrooms:
- 1Ow/m2 from a minimum 75w light fixture above the wash basin, and another source if necessary;
- an electric shaver outlet.

1.8.3 Entrance: 10w/m²

1.8.4 General Areas:
- walkways and exits 5W/m²;
- Landings 10W/m²;
- Washrooms/WC 10W/m²;
- Stairwells 10W/m².

1.9 Room furnishings:
- 1 bedside table per occupant;
- single bed measuring 90 x 200 cm (minimum);
- double bed measuring 140 x 200 cm (minimum);
- 1 good quality mattress;
- 1 chair per occupant;
- 1 writing desk;
- 1 wardrobe/cupboard with a rail for at least 10 hangers;
- full blinds across windows and other openings;
- locally made wall hangings;
- waste paper basket and ash tray;
- bedside rug.

## 2. PUBLIC AREAS

2.1 Reception area: This should comprise :
- the reception desk and porter's desk, and occupy a minimum area of 30m²;
- a lift, mandatory if the building has up to 4 floors;
- a staircase measuring at least 1.30m in width.

2.2 Restaurant: A breakfast room may replace the restaurant.

2.3. Bar: A bar should be provided in a properly ventilated area.

2.4. Public Conveniences: Public conveniences should be provided for gentlemen and ladies, equipped as follows:
- 1 WC with a seat and reservoir;
- 1 Wash basin;
- 1WC;
- provision should be made for separate WCs for the ladies and gentlement patronising the bar, restaurant and any other public facility in the hotel;
- for any guests or visitors in the public areas.

2.5. Telephone and Postal Services:
- Where telephone services exist, at least one telephone with an outside line should be located in a public area of the hotel;
- Postal services recommended .

## 3. HOTEL SERVICES

3.1 In Rooms:
- 24 hr wake-up call;
- a change of bed linen and toilet accessories after each guest departure and at least once every 2 days while the guest is in occupancy;
- the following should be available:
- air freshener should be provided in the toilet;
- 1 blanket per occupant;
- dry cleaning and laundry services.

3.2 Foreign languages (English required):
- reception desk *(Bilingual);*
- switchboard *(Bilingual);*
- restaurant *(Bilingual);*

3.3 Health Services:
- First aid kit;
- staff with a basic knowledge of first aid;
- a doctor on call.

3.4 Guest Information: Room rates and other charges should be prominently desplayed in each room together with a list of hotel services, fire safety instructions, hotel regulations, meal hours and charges.

3.5. Drinking Water : Drinking water and ice should be available at all times. Where tap water is not safe, the hotel should ensure water treatment to render it wholesome.

Ice cubes should be made from potable water.

3.6. Billing and Payments:
- Foreign currency;
- National currency;
- ECOWAS travellers cheques.

## 4. SECURITY, HYGIENE, INSURANCE

4.1. Security

4.1.1 Fire-fighting Equipment, Electricity Installations and Other Safety Measures: Hotels should provide fire-fighting equipment, and safety instructions should be prominently displayed. Adequate fire-fighting equipment, emergency exits and fire escapes and all safety facilities should be provided and maintained in excellent working condition at all times, in compliance with fire safety and accident prevention regulations. Electrical appliances should be installed and maintained in accordance with electrical safety laws.

4.1.2 Guest Protection and Security: There should be 24 hour security surveillance within the premises of the hotel to ensure effective customer protection. Where the hotel is high-rise, security should be provided on each floor.

4.1.3 Alternative Power Supply: A stand-by generating set should be provided, to provide sufficient power at least to operate lights.

4.2 Hygiene: Hygienic conditions must be strictly maintained. Treatment of dirty water must be carried out in strict compliance with the regulations of each Member State.

Refuse, rubbish and garbage must be collected daily from the premises. The refuse storage area and dust bins must be kept in adequate sanitary condition.

Rooms must be subjected to appropriate pest control measures.

4.3 Insurance: Hotel premises, property and guests should be fully insured against fire, theft and oher disasters.

## 5. STAFF

5.1 Staff Strength and Qualifications: Staff should be recruited in sufficient numbers and should be adequately trained for their duties.

5.2 Staff Uniform: Staff should wear clean, comfortable uniform, in good repair. White uniforms must be changed daily while other colours may be changed every 2 days.

5.3 Staff Conveniences: Staff conveniences must be provided in sufficient number and hygienically maintained.

5.4 Changing rooms: Changing rooms should be provided for the staff.

## 6. HOTEL ENVIRONS

6.1 Access: Should be by a properly maintained road.

6.2. Location:
- the location and environs must be suitable for a hotel;
- attention should be paid to landscaping.

6.3 Car Park: At least 1 parking lot should be provided for every 3 rooms.

# II. STANDARDS FOR THIRD CLASS HOTELS, MOTELS AND GUEST INNS: 2 STARS

## 1. ROOMS

1.1 Minimum Number of Rooms : 10

1.2 Minimum Ceiling Height:
- entrance: 2.30 m;
- room: 2.50 m

1.3 Minimum Floor Area in Sq.m:
- Minimum floor area, excluding bathroom/ WC, entrance and wardrobe space:
  * single rooms : 10 m²;
  * double rooms: 12 m².

1.4 Bathroom/WC.

1.4.1 Bathroom: Recessed or standing shower with hot and cold running water. Minimum size including WC : 4 m².

1.4.2 WC: An English-type WC, separate from the bathroom., with handy tank and accessories:
- toilet soap;
- toilet paper;
- air freshener in WC.

1.5 Ventilation - Air conditioning: Single air conditioning units or half units muffled for sound.

1.6 TV, telephone, radio:
- Colour television should be provided in each room at no extra cost. Otherwise, colour television should be placed at guests' disposal in a common sitting area;
- telephone should be connected to the hotel switchboard
- a closed, soundproof phone booth should be provided for the use of guests.

1.7 Electrical fittings: Rooms: 10W/m² frem one main light source and one bedside lamp, which can be switched on at either end.

Bathroom:
- 10W/m² from a minimum 75W lighting above wash basin, complemented by another source if necessary;
- a electric shaver outlet.

Entrance : 10W/m²:

General Areas:
- corridors leading to rooms : 5W/m²
- emergency exits : 10W/m²
- wash rooms :10W/m²

1.8 Room furnishings:
- bedside table : 1 per occupant;
- single bed : 90 x 200 cm (minimum);
- double bed : 140 x 200 cm (minimum);
- mattress : minimum thickness 0.13m, with removable cover;
- luggage rack;
- chairs : 1 per occupant;
- wardrobe/cupboard with : 10-hanger rail (minimum); shelves;
- full blinds aoross windows and other openings;
- locally made wall hangings of tourist attractions;
- waste paper basket and ash tray;
- bedside rug.

1.9 Corridors and Exits:
- emergency exit
- flooring : sound-proof tiles.

## 2. PUBLIC AREAS

2.1 Reception Area:
Well furnished reception lobby or guest lounge
- Minimum floor area in m²:
  * for the first 10 rooms : 20m²;
  * from the 11th to the 200th room - 1m² per room in addition to the floor area indicated above ;
  * over 200 rooms - 0.5m² per room in addition to the floor areas indicated above.
- minimum floor area of lobby or reception area = 40 m².

2.2 The Lobby: Should have the following:-
- reception desk / porter's desk;
- lifts, mandatory if the building has up to 3 floors;
- staircase at least 1.3m wide, with a gentle gradient and good quality flooring.

2.3 Restaurant:
- restaurant and/or well ventilated snack bar with separate ventilation system;
- breakfast room.

2.4 Bar : 1 well ventilated bar.

2.5 Public Conveniences:
- separate public conveniences should be provided for gentlemen and ladies, equipped as follows:
  * 1 English-type WC with handy tank and reservoirs;
  * 1 cold water wash basin;
- provision should be made for separate WCs for the ladies and gentlement patronising the bar, restaurant and other public facilities in the hotel.

2.6 Technical installations: Electrical Equipment:
- Stand-by generator should be available to provide sufficient power to operate kitchen, lifts, if any, corridor and public room lighting, etc...

- Minimum electrical lighting in public areas:
  * Corridors and exits: 5W/m;
  * Public areas: 10W/m²;
  * Security lighting minimum: 2W/m².

- Reserve water: A water tank with a capacity of one day's supply should be kept in reserve for use in the event of water shortage.

## 3. HOTEL SERVICES

3.1. In the Rooms:
- 24 hr wake-up call;
- drinks - as advertised;

- a change of bed linen and toilet accessories at each guest departure and at least every two days while a guest is in occupancy;
- 1 blanket;
- toilet tissue;
- toilet soap;
- air freshener should be provided in the toilet.

3.2 Foreign Languages *(English required):*
- Reception desk *(Bilingual);*
- Switchboard *(Bilingual);*
- Restaurant *(Bilingual).*

3.3 Health Facilities:
- First aid kit;
- staff with basic knowledge of first aid;
- clinic with treatment room and sick bay;
- Doctor on call.

3.4 Guest Information: Room rates and other charges should be prominently displayed in each room, together with a list of hotel services, fire safety instructions, hotel regulations, meal hours and charges.

3.5 Drinking Water: Drinking water and ice should be available at all times. Where water supply is not safe, the hotel should set up a water treatment unit to render it wholesome.
Ice cubes should be made from potable water.

3.6 Billing and Payments:
- credit card (at least 1 card should be accepted);
- travellers cheques;
- foreign currency;
- ECOWAS Traveller's cheque;
- national currency.

3.7 Hairdressing Salon:A hairdressing saloon is recommended.

3.8 Safe-deposit: A safe deposit facility or individual safe deposit boxes should be made available to guests.

**4. SECURITY, HYGIENE, INSURANCE**

4.1 Security

4.1.1 Fire-fighting Equipment, Electrical Installations and other Safety Measures: Hotels should provide fire-fighting equipment, and safety instructions should be prominently displayed. Adequate fire-fighting equipment, emergency exits and fire escapes and all safety facilities should be provided and maintained in excellent working condition at all times, in compliance with fire safety and accident prevention regulations. Electrical appliances should be installed and maintained in accordance with electrical safety laws.

4.1.2 Guest Protection and Security: There should be 24 hour security surveillance within the premisea of the hotel to ensure effective customer protection. Where the hotel is high-rise, security should be provided on each floor.

4.2 Hygiene: Hygienic conditions must be strictly maintained. Treatment of dirty water must be carried out in strict compliance with the regulations of each Member State. All refuse, rubbish and garbage must be collected daily from the premises . The refuse storage area and dust bins must be kept in adequate sanitary condition.

Rooms must be subjected to appropriate pest control measures.

4.3 Insurance: Hotel premises, property and guests should be fully insured against fire, theft and other disasters.

**5. STAFF**

5.1 Staff strength and qualifications : Staff should be recruited in sufficient numbers and should be adequately trained for their duties.

5.2 Staff Uniform : Staff should wear clean, comfortable uniform, in good repair. White uniforms must be changed daily while other colours may be changed every 2 days.

5.3 Staff Conveniences : Staff conveniences must be provided in sufficient numbers and hygienically maintained.

5.4 Changing rooms : Changing rooms should be provided for the staff.

**6. HOTEL ENVIRONS**

6.1 Access:
- should be by a properly manitained road;
- a canopy should be installed at the entrance to the hotel.

6.2 Location:
- a good view should be obtainable from the hotel;
- the location and environs should be suitable for a hotel;
- attention should be paid to landscaping.

6.3 Car Park:
- at least one parking lot per 3 rooms;
- adequate lighting for car park and gardens.

6.4 Service Entrance : This should be separate from the front entrance and is reserved for the exclusive use of staff and deliveries.

## II STANDARDS FOR SECOND CLASS HOTELS, MOTELS, AND GUEST INNS: 3 STARS

### 1. ROOMS

1.1 Minimum capacity: Number of rooms: 10

1.2 Minimum height of ceiling:
Room: 2.5m; Entrance: 2.3m.

1.3 Minimum floor area in m²:
Minimum floor area excluding bathroom/WC, entrance and wardrobe space :
- single rooms : 12m²;
- double rooms : 14m².

1.4 Bathrooms and toilets.

1.4.1 Bathrooms : Wash basin and stand with a mixer faucet for hot and cold water;
- shower stall with mixer faucet for hot and cold water and hand- held shower fixture;
- the bathroom and WC should have a combined floor area of at least 4m²;
- a normal bathtub with thermostatically controlled mixer and hand-held shower fixture in 30% of rooms;
- bidet with running hot and cold water in 30% of rooms;
- the wall should be entirely covered with waterproof tiles;
- a daily change of toilet soap and towels;.
- extra toilet soap.

1.4.2 WC:
- An English-type WC, separate from the bathroom, with handy tank and accessories, should be provided in each room;
- toilet paper;
- air freshener in WC.

1.5 Ventilation - Air conditioning: Single air conditioning units or half units muffled for sound.

1.6 TV, telephone, radio, automatic wake-up service
All rooms should have:
- a colour television set (with remote control) provided at no extra cost;
- a telephone connected to the hotel switchboard;
- a radio and centrally piped music;
- an automatic wake up call service.

1.7 Security: A security lock should be provided in each bedroom.

1.8 Electrical fittings :

1.8.1 Rooms: 10w/m², provided by both the tableside reading lamp and a central source and which can be switched off at either end.

1.8.2 Bathrooms: 10w/m² from 75w lighting above wash basin mirror and another source if necessary.

1.8.3 Corridors and exits:
- corridors leading to rooms : 5w/m²
- landings : 10w/m²
- emergency exits : 10w/m²
- washrooms : 10w/m²
- stairwells : 10w/m²

1.9 Room furnishings:
- One bedside table per occupant:
  single bed - 90cm x 200cm (minimum).,
  double bed - 160cm x 200cm (minimum);
- Box mattress with cover;
- Mattress with removable cover minimum thickness: 0.13m;
- Luggage rack;
- One chair per occupant;
- Arm chairs;
- Dressing table with mirror;
- Cupboard or wardrobe with a rail for at least 10 hangers;
- Shelves;
- Drawers;
- Full blinds across windows and other openings ;

- Net curtains;
- Bedside rug or carpet;
- Full length mirror;
- Locally made wall hangings;
- Waste basket and ashtray.

1.10 Corridors and exits:Emergency exits, Flooring should be parquet or of sound-proof tiles.

## 2 PUBLIC AREAS

2.1 Reception Area:
- well-furnished lobby or guest lounge. The minimum floor area should be as follows:
  - for the first 10 rooms: 25m²;
  - from 11 to 200 room: 1m² per room in addition to the floor area indicated above;
  - more than 200 rooms: 0.5m² per room in addition to the floor areas indicated above;
- Minimum floor area of reception hall or lobby: 60m²

2.2 The Lobby should have the following:
- reception desk;
- information and porter's desk;
- sound proof telephone booths;
- drug store;
- mandatory lifts for guests going to 2nd floor and above;
- staircase at least 1.3m wide, with a gentle gradient and good quality floor covering.

2.3 Restaurant:
- One fully airconditioned restaurant or coffee shop;
- a menu is recommended and should offer a wide selection of dishes.

2.4 Bar: A fully airconditioned bar.

2.5 Conference rooms:
- At least one small conference room with a seating capacity of 30;
- 1 banquet hall.

2.6 Public conveniences :
- separate public conveniences should be provided for gents and ladies as follows:
  * 1 English-type WC with a handy tank;
  * 1 wash basin, mirror, towel rack and hand dryer;
  * 1 Ladies/Gents for the use of patrons of the restaurant, bar and other hotel facilities.

2.7 Sports facilities:
- 1 swimming pool manned by a lifeguard;
- A lifeguard should also be present on public beaches used by hotel guests.

2.8 Technical installations:
- Air conditioning;
- Lobby, lounge and corridors leading to rooms should be airconditioned;
- Electrical fittings;
- Minimum lighting requirements for public areas should be as follows:
  * corridors and exits : 5w/m²
  * landings : 10w/m²
  * common public areas : 15w/m²
  * security lights : 2w/m²;
- A stand-by generator should be available to provide sufficient power to operate corridor and public room lights, lifts, water and sewage systems and kitchen facilities.

2.9 Reserve water: A water tank with a capacity of 1 day's supply shuld be kept in reserve for use in the event of water shortage.

## 3. HOTEL SERVICES

3.1 In Rooms:
- 24-hour wake-up call service;
- breakfast ;
- 24-hour drinks service ;
- room service;
- laundry;
- dry cleaning and shoe cleaning;
- mail and messages;
- bed sheets and towels to be changed every daily or after each guest departure;
- the following item should be provided in the rooms: -stationery.

3.2 Foreign languages *(English required):*
- Reception *(bilingual);*
- Switchboard *(bilingual);*
- Restaurant *(bilingual);*
- Bar *(bilingual).*

3.3 Business centre:
- Secretarial services;
- Reproduction of documents;
- Telefax;
- E-mail.

3.4 Health facilities:
- First aid box;
- Staff with basic knowledge of first aid ;
- Hotels with more than 100 rooms should have:
  * a doctor on call;
  * a clinic with treatment room and sick bay;
  * a resident nurse.

3.5 Guest Information : Room rates, services and other charges should be prominently displayed in each room together with a list of services offered by the hotel, fire safety instructions, hotel regulations, meal hours and charges.

3.6 Drinking water : Drinking water and ice should be available at all times. Where water supply is not safe, the hotel should set up a water treatment unit to render the water wholesome . All ice used for beverages should be made from potable water.

3.7 Billing and Payments:
- credit cards (at least one credit card should be accepted by the hotel);
- travellers' cheques;
- foreign currency;
- local currency.

3.8 Hairdressing salon : A unisex hair saloon is recommended.

3.9 Safe deposit : Individual safe deposit boxes or a safe deposit facility should be provided.

## 4. SAFETY - HYGIENE - INSURANCE

4.1 Security

4.1.1 Fire-fighting equipment, electrical fittings and other safety devices: Fire-fighting facilities should be provided and safety instructions clearly indicated. Adequate fire-fighting equipment, fire escapes and all safety facilities and emergency exits should be provided and maintained in excellent condition at all times in accordance with fire safety and accident prevention regulations. All electrical facilities must be installed and maintained in accordance with electrical safety laws.

4.1.2 Guest Protection and Security : There should be 24 hour security surveillance within the premises of the hotel to ensure effective guest protection. Where the hotel is high-rise, security should be provided on each floor.

4.2 Hygiene : Hygienic conditions must be strictly maintained. Treatment of dirty water must be carried out in strict compliance with the regulations of each Member State. All refuse, rubbish and garbage must be collected daily from the premises. The refuse storage and disposal area must be kept in satisfactory sanitary condition.

Rooms must be subjected to appropriate pest control measures.

4.3 Insurance : Hotel premises, property and guests should be fully insured against fire, theft and other disasters.

## 7. STAFF

5.1 Staff strength and qualifications : Staff should be recruited in sufficient numbers and should be adequately trained for their duties.

5.2 Staff Uniform : Staff should wear clean, comfortable uniform, in good repair. White uniforms must be changed daily while other colours may be changed every 2 days.

5.3 Staff Conveniences : Staff conveniences must be provided in sufficient numbers and hygienically maintained.

5.4 Changing rooms : Changing rooms should be provided for the staff.

## 6. HOTEL ENVIRONS

6.1 Access:
- access to the hotel must be by a tarred, paved or similar road;
- there should be a canopy at the entrance to the hotel.

6.2 Location:
- the surrounding buildings and environs should be compatible with a hotel of this category;
- attention should be paid to landscaping;
- a good view should be obtainable from the hotel.

6.3 Car Park :
The hotel should have:-
- covered car parking spaces with 24-hour security;
- at least one parking space for every three rooms and adequate lighting for the car park and gardens;

- a special parking lot for coaches: 1 space for every 50 rooms;

6.4 Service Entrance :
This should be separate from the front entrance and is reserved for the exclusive use of staff and deliveries.

## IV. STANDARDS FOR A FIRST CLASS FOUR-STAR HOTEL

A four-star hotel is a luxury hotel situated in the city centre, the suburbs or a tourist centre.

### 1. ROOMS

1.1 Minimum capacity: Number of rooms: 10

1.2 Minimum height of ceiling:
Room: 2.5m., Entrance: 2.3m

1.3 Minimum floor area in m²: Minimum floor area excluding bathroom, entrance, and wardrobe space: single rooms: 14m², double rooms : 16m²
- 5% of the total capacity of the hotel should be made up of 1 or 2-roorn suites or apartments or interconnecting rooms which can be converted into suites or apartments;
- There should be a door separating the bedroom from the entrance.

1.4 Bathroom and toilet

1.4.1 Bathroom:
- Shower stall with mixer tap for hot and cold running water and hand held shower fixture. Bathroom accessories. Minimum floor area without WC = 4m²; with WC = 5m²;
- Wash basin and stand with mixer faucet for hot and cold running water;
  * bidet with running hot and cold water;
  * normal bathtub with safety handles and a thermostatically controlled mixer faucet. A flexible hand-held shower fixture should be provided for each room;
  * bathroom floor, shower stall and bathtub should be non-slip;
  * a daily change of toilet soap and towels should be provided;
  * face towel.

1.4.2 WC :
- An English-type WC, separated from the bathroom, with handy tank and accessories;
- toilet paper;
- air freshener in WC.

1.5 Ventilation - Air conditioning : Central or individual air conditioning which can be regulated from each room.

1.6 TV, telephone, radio, automatic wake-up service:
- a colour television set in each room;
- closed-circuit video programming;
- a telephone with direct dialling;
- radio and centrally piped music;
- automatic wake-up service.

1.7 Security : A security lock and spy hole should be installed on each door.

1.8 Electrical fittings:Rooms: 15w/m², provided by both the bedside reading lamp and a central source which can be switched off at either end.

1 light point for the writing desk or dressing table.

Bathrooms: 15w/m² from 75w lighting fixture above wash basin and another source if necessary.
- electric shaver outlet;
- Entrance: 10w/m²;
- Stair wells: 10w/m²;
- corridors leading to rooms: 5w/m²;
- landings : 10w/m²;
- emergency exits : 10w/m²;
- wash rooms : 10w/m².

1.9 Room Furnishings :The following facilities should be available in all bedrooms:-
- One bedside table per occupant;
- Beds: - single: 110cm x 200cm *(minimum);*
- double: 180cm x 200cm *(minimum);*
- Box mattress with cover;
- Mattress with removable cover *(minimum thickness: 0.13m);*
- Luggage rack;
- One chair per occupant;
- Arm chairs ;
- Dressing table with mirror;

- Cupboard or wardrobe with a rail for at least; 10 hangers
- Shelves;
- Drawers;
- Shoe rack;
- Full blinds across windows and other openings;
- Net curtains;
- Bedside rug or carpet;
- Full length mirror;
- Mini bar/refrigerator;
- Laundry bag and shoe shine accessories;
- Locally made wall hangings ;
- Waste paper basket and ashtray.

1.10 Corridors and exits:
- emergency exits
- floors should be fully carpeted

## 2 PUBLIC AREAS

2.1 Reception Area:
- There should be a well furnished, spacious lobby or guest lounge. The minimum floor area should be as follows:
  * for the first 10 rooms: 30m²;
  * from 11 to 200 rooms: 1m² per room in addition to the floor area indicated above;
  * more than 200 rooms: 0.5m² per room in addition to the floor areas indicated above.
- Minimum floor area of lobby or lounge: 100m²

2.2 The Lobby: Should have the following:-
- reception desk;
- separate left luggage;
- information and message desk;
- tourism services available in the hotel should include an information service for excursions, reservations, flights, car hire;
- sound proof telephone booths;
- drug store;
- lifts for guests going to 1st floor and above;
- service lift;
- stair case at least 1.3m wide, with a gentle gradient and good quality floor covering.

2.3 Restaurant:
- The hotel should have a first-class restaurant;
- There should be a separate breakfast room A menu is recommended and should offer a wide selection of dishes;
- There should be a snack bar.

2.4 Bar : There should be an airconditioned bar.

2.5 Conference rooms:
- There should be several small conference rooms each with a seating capacity of 30;
- a banquet hall.

2.6 Public Conveniences:
- Separate ladies and gents should be provided and equipped as follows:
- Ladies:
  - an English-type WC.,
  - a separate section containing a wash basin and stand, accessories with wall mirrors and hot air hand dryer;
- For Gents:
  - An English-type WC.,
  - a separate urinal section containing wash basins, wall mirrors and hot air hand dryer.,
  - 1 Ladies/Gents should be provided for the use of patrons of the bar, restaurant and other hotel facilities.

2.7 Sports facilities:
- Swimming pool: The hotel should provide lifeguards for the swimming pool and public beaches used by hotel guests.
- playing courts for tennis and other games.

2.8 Technical installations:
- Air conditioning:
  - Lobby, lounge and corridors used by guests should be airconditioned.
- Electrical fittings:
  - Minimum lighting requirements for public areas should be as follows:
    * corridors and exits : 5w/m²
    * landings : 10w/m²
    * public areas : 15w/m²
    * security lights : 2w/m²
- Stand-by generators should be available to provide sufficient power to operate corridor and public room lights, lifts, water and sewage systems and kitchen facilities.
- Communications facilities:
  * Telex, fax and telephone/radio facilities should be available.
- Reserve water : A water tank with a capacity of 1 day's supply should be kept in reserve for use in the event of water shortage.

## 3. HOTEL SERVICES

### 3.1 In Rooms

- 24-hour wake-up call service;
- breakfast;
- drinks: 24-hour service;
- room service;
- laundry;
- dry cleaning and shoe oleaning;
- mail and messages;
- bed sheets and towels: to be changed after use or after each guest departure;
- the following items should be provided in the rooms:
  * stationery
  * day's newspapers

3.2 Foreign languages *(English required):*
- Reception *(Bilingual);*
- Switchboard *(Bilingual);*
- Restaurant *(Bilingual);*
- Bar *(Bilingual).*

3.3 Business centre:
- Secretarial services
- Reproduction of documents:
  * E-mail
  * Fax

3.4 Health facilities:
- The hotel should have a first aid box;
- Staff with basic knowledge of first aid techniques should be available;
- Hotels with more than 100 rooms should have:
  * a doctor on call;
  * a clinic with treatment room and sick bay;
  * a resident nurse.

3.5 Guest Information : Room rates, services and other charges should be prominently displayed in each room in addition to a list of services offered by the hotel, fire safety instructions and hotel regulations, including meal hours and charges.

3.6 Drinking water: Drinking water and ice should be available at all times. Where tap water is not safe, the hotel should have a water treatment unit to render the water wholesome. All ice used for beverages should be made from potable water.

3.7 Billing and Payments: Bills can be settled using:
- credit cards (at least three credit cards should be accepted by the hotel);
- travellers' cheques;
- foreign currency;
- local currency.

3.8 Hairdressing saloon : A unisex hair saloon is recommended.

3.9 Safe deposit : Individual safe deposit boxes or a safe deposit facility should be provided.

## 4. SAFETY - HYGIENE - INSURANCE

4.1 Security

4.1.1 Fire fighting equipment, electrical fittings and other safety devices : Fire fighting facilities should be provided and safety instructions clearly indicated. Adequate fire-fighting equipment, fire escapes and all safety facilities and emergency exits should be provided and maintained in excellent condition at all times in accordance with fire safety and accident prevention regulations. All electrical facilities must be installed and maintained in accordance with electrical safety laws.

4.1.2 Guest Protection and Security : There should be 24 hour security surveillance within the premises of the hotel to ensure effective guest protection. Where the hotel is high-rise, security should be provided on each floor.

4.2 Hygiene : Hygienic conditions must be strictly maintained. Treatment of dirty water must be carried out in strict compliance with the regulations of each Member State. All refuse, rubbish and garbage must be disposed of daily. The refuse area and dust bins should be kept covered and in adequate sanitary condition.

Rooms must be subjected to appropriate pest control measures.

4.3 Insurance : Hotel premises, property and guests should be fully insured against fire, theft, and other disasters.

## 8. STAFF

5.1 Staff strength and qualifications : Staff should be recruited in sufficient numbers and should be adequately trained for their duties.

5.2 Staff Uniform : Staff should wear clean, comfortable uniform, in good repair. White

uniforms must be changed daily while other colours may be changed every 2 days.

5.3 Staff Conveniences : Staff conveniences must be provided in sufficient numbers and hygienically maintained.

5.4 Changing rooms : Changing rooms should be provided for the staff.

## 6. HOTEL ENVIRONS

6.1 Access:
- access to the hotel must be by a tarred, paved or similar road;
- there should be a canopy at the entrance to the hotel.

6.2 Location:
- the surrounding buildings and environs should be compatible with a hotel of this category;
- a good view should be obtainable from the hotel;
- attention should be paid to landscaping.

6.3 Car Park : The hotel should have:
- covered car parking spaces with 24-hour security;
- at least one parking space for every three rooms and adequate lighting for the car park and gardens;
- a special parking lot for coaches: 1 space for every 50 rooms;

6.4 Service Entrance : This should be separate from the front entrance and is reserved for the exclusive use of staff and deliveries.

# IV. STANDARDS FOR A FIRST CLASS LUXURY HOTEL: 5 STARS

A five star hotel is an establishment which in addition to complying with the standards stipulated for 4-star hotels also fulfils the following conditions.

General Characteristics: It is a luxury establishment of international standing, situated in the city centre, suburb, or in a tourist centre. It caters for a clientele demanding the highest degree of comfort.

The entire hotel should be fully air conditioned

- including suites, rooms, public areas and exits, and should be kept at a constant temperature.

## 1. ROOMS

1.1 Minimum capacity: Number of rooms: 10

1.2 Minimum height of ceiling:
Room : 2.8m; Entrance: 2.5m.

1.3 Minimum floor area in $m^2$ :
- Minimum floor area excluding bathroom, entrance, and wardrobe space:
  * single rooms - $16m^2$.,
  * double rooms - $18m^2$.
- 5% of the total capacity of the hotel should be made up of 1 or 2-room suites or apartments or of interconnecting rooms which can be converted into suites or apartments;
- There should be a door separating the bedroom from the entrance.

1.4. Bathroom and toilet.

1.4.1 Bathroom:
- Minimum floor area excluding WC: $5m^2$
- Wash basin and stand with mixer faucet for hot and cold running water;
- normal bathtub with safety handles and a thermostatically controlled mixer faucet. A hand-held flexible shower fixture should be provided for each room;
- bidet with running hot and cold water;
- bathroom accessories;
- bathroom floor, shower stall and bathtub should be non-slip;
- a daily change of toilet soap and towels should be provided;
- face towel;
- eau de toilette

1.4.2 WC :
- An English-type WC, separated from the bathroom, with handy tank and accessories:-
  - Minimum floor space = $2m^2$;
  - toilet paper;
  - air freshener ;
  - bath robe.

1.5 Ventilation - Air conditioning:
- Central or individual
- controls should be placed in each room.

1.6 TV, telephone, radio, automatic wake-up system:
All rooms should have:
- a colour television set with remote control;
- closed-circuit video programming;
- a telephone with direct dialling;
- a bell;
- radio and centrally piped music;
- automatic wake-up call service.

1.7 Security : A security lock and spy hole should be installed in each door.

1.8 Electrical fittings:
Rooms: 15w/m², provided by both the bedside reading lamp and a central source, and which can be switched off at either end.

Bathrooms: 15w/m² from 75w lighting fixture above wash basin and another source if necessary.
- Electric shaver outlet
- Entrance: 10w/m²

Corridors:
- corridors leading to rooms: 5w/m²
- landings : 10w/m²
- emergency exits : 10w/m²
- Washrooms : 10w/m²
- stairwells : 10w/m²

1.9 Room furnishings:
- One bedside table per occupant
- Beds:
  * single: 110cm x 200cm *(minimum)*
  * double: 180cm x 200cm *(minimum);*
- Box mattress with cover;
- Mattress with removable cover (minimum thickness: 0.13m) or any other covered mattress of superior quality;
- Luggage rack;
- One chair per occupant;
- Arm chairs;
- Dressing table with mirror;
- Cupboard or wardrobe with space for 10 hangers;
- Shelves;
- Drawers;
- Shoe rack;
- Full blinds across windows and other openings;
- Net curtains;
- Bedside rug or carpet;
- Full length mirror;
- Laundry bag and shoe shine accessories;
- Locally made wall decorations, painting or photographs of tourist sites;
- Waste paper basket and ashtray.

1.10 Corridors and exits:
- emergency exits should be provided;
- floors should be fully carpeted.

## 2 PUBLIC AREAS

2.1 Reception area:
- There should be a well-furnished, spacious lobby or guest lounge. The minimum floor area should be as follows:
  * for the first 10 rooms: 35m²;
  * from 11 to 200 rooms: 1m² per room in addition to the floor area indicated above;
  * more than 200 rooms: 0.5m² per room in addition to the floor areas indicated above;
- Minimum floor area of lobby or lounge: 150m².

2.2 The Lobby:
Should have the following facilities:
- reception desk;
- separate left luggage ;
- information and message desk;
- tourism services available in the hotel should include an information service for reservations, flights, car hire, hotels, excursions;
- sound proof telephone booths;
- drug store; arts and crafts shop; souvenir shop;
- lift for guests to all floors;
- service lift;
- Staircase at least 1.3m in width with a gentle gradient and good quality floor covering.

2.3 Restaurant:
- The hotel should have a first-class restaurant;
- There should be a separate breakfast room. A menu is recommended and should offer a wide selection of dishes;
- There should be a snack bar.

2.4 Bar : There should be an airconditioned bar.

2.5 Conference rooms:
- There should be several small conference rooms each with a seating capacity of 50;
- banquet hall.

2.6 Public conveniences:
- Separate ladies and gents should be provided and equipped as follows:
- For ladies
  * An English-type WC with its accessories;
  * a separate section containing a wash basin and stand and accessories, mirrors, and hot air hand dryer;
- For gents:
  * An English-type WC with accessories;
  * a separate urinal;
  * a separate section containing a wash basin and accessories, wall mirrors and hot air hand dryer.
- 1 Ladies/Gents should be provided for the use of patrons of the bar, restaurant and other hotel facilities.

2.7 Sports facilities:
- There should be a swimming pool (paddle pool and a full-size adult pool). The hotel should provide lifeguards for the swimming pool and public beaches open to hotel guests;
- A tennis court must be provided.

2.8 Technical installations:
- Air conditioning:
  * Lobby, lounge and corridors used by guests should be airconditioned.
- Electrical fittings:
  * Minimum lighting requirements for public areas should be as follows:
    - corridors and exits : 5w/m²;
    - landings : 10w/m²;
    - public areas : 15w/m²;
    - security lights : 2w/m².
- Stand-by generators should be available to provide sufficient power to operate corridor and public room lights, lifts, water and sewage systems and kitchen facilities.
- Communications facilities:
  * Telex, fax and telephone/radio facilities should be available.

Reserve Water: A water tank with a capacity of 1 day's supply should be kept in reserve for use in the event of water shortage.

## 3. HOTEL SERVICES

3.1 In Rooms:
- 24-hour wake-up call service;
- breakfast;
- drinks: 24-hour service;
- room service;
- laundry;
- dry cleaning and shoe;
- mail and messages;
- bed sheets and towels: to be changed after use or after each guest departure;
- the following items should be provided in the rooms:
  * stationery,
  * day's newspapers,
  * fruit basket and mineral water on arrival.

3.2 Foreign languages *(English required):*
- Reception - *(Bilingual);*
- Switchboard - *(Bilingual);*
- Restaurant - *(Bilingual);*
- Bar - *(Bilingual);*
- On each floor- *(Bilingual);*
- Night club- *(Bilingual).*

3.3 Business centre:
- Secretarial services;
- Reproduction of documents:
  - Telefax,
  - E-mail.

3.4 Health facilities:
- The hotel should have a first aid box;
- Staff with basic knowledge of first aid techniques should be available;
- Hotels with more than 100 rooms should have:
  * a doctor on call;
  * a clinic with treatment room and sick bay;
  * a resident nurse;
  * a refrigerator.

3.5 Guest Information : Room rates, services and other charges should be prominently displayed in each room in addition to a list of services offered by the hotel, safety instructions and hotel regulations for guests, including meal hours and charges.

3.6 Drinking water : Drinking water and ice should be available at all times. Where tap water is not safe, the hotel should have a water treatment unit to render the water wholesome. All ice used for beverages should be made from potable water.

3.7 Billing Payments: Bills can be settled using:
- credit cards (at least three credit cards should be accepted by the hotel);
- travellers' cheques;
- foreign currency;
- local currency.

3.8 Hairdressing salon : A unisex hair saloon is required.

3.9 Bureau de change :A bureau de change is recommended.

3.10 Safe deposit : Individual safe deposit boxes or safe deposit service should be provided.

## 4. SAFETY - HYGIENE - INSURANCE

4.1 Security

4.1.1 Fire fighting equipment, electrical fittings and other safety devices : Fire fighting facilities should be provided and safety instructions clearly indicated. Adequate fire-fighting equipment, fire escapes and all safety facilities and emergency exits should be provided and maintained in excellent condition at all times in accordance with fine safety and accident prevention regulations. All electrical facilities must be installed and maintained in accordance with electrical safety laws.

4.1.2 Guest Protection and Security :There should be 24 hour security surveillance within the premises of the hotel to ensure effective guest protection. Where the hotel is high-rise, security should be provided on each floor.

4.2 Hygiene : Hygienic conditions must be strictly maintained. Treatment of dirty water must be carried out in strict compliance with the regulations of each Member State. All refuse, rubbish and garbage must be disposed of daily. The refuse area and dust bins should be kept covered and in adequate sanitary condition.

Rooms must be subjected to appropriate pest control measures.

4.3 Insurance : Hotel premises, property and guests should be fully insured against fire, theft, and other disasters.

## 9. STAFF

5.1 Staff strength and qualifications : Staff should be recruited in sufficient numbers and should be adequately trained for their duties.

5.2 Staff Uniform : Staff should wear clean, comfortable uniform, in good repair. White uniforms must be changed daily while other colours may be changed every 2 days.

5.3 Staff Conveniences : Staff conveniences must be provided in sufficient number and hygienically maintained.

5.4 Changing rooms : Changing rooms should be provided for the staff.

## 6. HOTEL ENVIRONS

6.1 Access:
- access to the hotel must be by a tarred, paved or similar road;
- there should be a canopy at the entrance to the hotel.

6.2 Location:
- a good view should be obtainable from the hotel;
- the surrounding buildings and environs should be compatible with a hotel of this category;
- attention should be paid to landscaping.

6.3 Car Park :
The hotel should have:
- covered car parking spaces with 24-hour security;
- at least one parking space for every three rooms and adequate lighting for the car park and gardens;
- a special parking lot for coaches: 1 space for every 50 rooms;

6.4 Service Entrance : This should be separate from the front entrance and is reserved for the exclusive use of staff and deliveries.

## REGULATIONS C/REG.15/12/99 APPROVING THE WORK PROGRAMME OF THE EXECUTIVE SECRETARIAT FOR THE 2000 FINANCIAL YEAR

**THE COUNCIL OF MINISTERS,**

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

ON THE RECOMMENDATION of the twenty-fourth meeting of the Administration and Finance Commission held in Lame from 27th November to 3rd December, 1999.

**ENACTS**

**Article 1**

The Work Programme hereto attached is hereby approved and shall be executed by the Executive Secretariat during the 2000 Financial Year.

**Article 2**

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 within the same time frame.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

# 2000 BUDGET

# WORK PROGRAMME

# EXECUTIVE SECRETARIAT
# 2000 BUDGET
# WORK PROGRAMME

| | |
|---|---|
| **A - LEGAL AFFAIRS DEPARTMENT** | |
| 1. Preparation of Institutional Texts. | |
| - Preparation of the Protocol on the ECOWAS mechanism for conflict prevention, management and resolution, peace-keeping and security | P.M. |
| 2. Strengthening of Institutional capacities. | |
| - Establishment of the Regional Peace and Security Observation System Constitution of a law library. | 5 135 |
| - Establishment of a law library. | 5 431 |
| - Establishment of Court of Justice | 827 639 |
| 3. Technical co-operation meetings. | 5 000 |
| **TOTAL LEGAL AFFAIRS DEPARTMENT** | **843 205** |
| **B - INDUSTRY, AGRICULTURE AND NATURAL RESOURCES DEPARTMENT** | |
| **I. Industry Division** | |
| 1. Industrial Master Plan. | - |
| 2. Industrial forum. | 1 278 |
| 3. Pro-invest Programme | 2 084 |
| **TOTAL I** | **3 362** |
| **II. Agriculture Division** | |
| 1. Support for Agriculture production | 16 078 |
| 2. Livestock development. | 7 919 |
| **TOTAL II** | **23 997** |
| **III. NATURAL RESOURCES DIVISION** | |
| 1. Environmental protection and natural resources management program. | 1 607 |
| 2. Desertification Control Programme | 13 321 |
| 3. Regional meteorological Programme | 6 998 |

| | UA |
|---|---|
| 4. Water Supply Programme | 2 235 |
| 5. Fisheries Development Programme | 1 446 |
| **TOTAL III** | **25 607** |
| **IV. Technical Cooperation** | **5 000** |
| **TOTAL AGRICULTURE, INDUSTRY AND NATURAL RESOURCES DEPARTMENT** | **57 966** |
| **C - SOCIAL AFFAIRS AND CULTURAL DEPARTMENT** | |
| **I. Social Affairs Division** | |
| 1. Health. | - |
| 2. Women in Development | 19 543 |
| 3. WAWA Annual Subvention. | 25 000 |
| 4. WAWA General Assembly. | 5 990 |
| 5. Provision for WAWA Staff | 21 558 |
| 6. Forum of Associations granted observer's Status | 11 254 |
| **TOTAL I** | **83 345** |
| **II. Cultural Affairs Division** | |
| 1. ECOWAS Arts Festival | 18 217 |
| 2. Cultural Exchanges. | 3 071 |
| 3. Youth and Sports | 9 624 |
| 4. Drug Control. | 13 277 |
| **TOTAL II** | **44 189** |
| **III. Technical Cooperation.** | **5 000** |
| **TOTAL SOCIAL AND CULTURAL AFFAIRS DEPARTMENT** | **132 534** |
| **D - TRANSPORT, COMMUNICATIONS AND ENERGY DEPARTMENT** | |
| **I. Transport Division** | |
| 1. Completion of the Trans-West African Highway. | 31 869 |
| 2. Facilitation of Road Transports. | 11 282 |
| 3. Meeting of Directors of Railways. | 5 196 |
| 4. Evaluation of the Brown Card Scheme | 10 276 |

| | | UA |
|---|---|---|
| | 5. Meetings of the Brown Card and UTRAO | 5 749 |
| | 6. Coordination Meetings UNTACDA II | 3 761 |
| | 7. Improvement of Air and Maritime Transport. | 25 165 |
| | **TOTAL I** | **93 298** |
| **II.** | **Communications Division** | |
| | 1. Development of Telecommunications infrastructure. | 4 810 |
| | 2. Telecommunications Policy Meetings | 4 600 |
| | 3. METEOSAT Meetings etc. | 6 669 |
| | **TOTAL II** | **16 079** |
| **III.** | **Energy Division** | |
| | 1. Development of Energy Production and Interconnection Master Plan | 4 089 |
| | 2. West African Power Pool Project | 15 752 |
| | 3. West African Gas Pipeline Project | 27 194 |
| | 4. Development of Renewable Energy Sources. | - |
| | **TOTAL III** | **47 035** |
| **IV.** | **Technical Cooperation.** | **5 000** |
| | **TOTAL TRANSPORT, COMMUNICATION AND ENERGY DEPARTMENT** | **161 412** |
| **E -** | **TRADE, CUSTOMS, IMMIGRATION, MONEY AND PAYMENTS DEPARTMENT** | |
| **I.** | **Trade Division**: Trade promotion Programme | |
| | 1. Preparation of the Third ECOWAS Trade Fair | 12 512 |
| | 2. Meeting of the Consultation and Cooperation Committee for the Programme of Trade Fairs | 3 500 |
| | 3. Installation of SIGOA-TOPS | 68 696 |
| | 4. Standardisation and Quality Control | 970 |
| | 5. Participation in WTO, ITC-UNCTAD/WTO and UNCTADX Meetings | 19 953 |
| | 6. Participation in Lome Fair and Abidjan. | 4 557 |
| | **TOTAL I** | **110 188** |

| | UA |
|---|---|
| **II. Customs Division:** Trade Liberalisation Programme. | |
| 1. Harmonisation and simplification of Customs Documents. | 25 870 |
| 2. Implementation of trade Liberalisation Scheme. | 17 431 |
| 3. Establishment of a common external tariff. | 7 057 |
| **TOTAL II** | **50 358** |
| **III. Immigration Division:** Free movement of Community citizens. | |
| 1. Evaluation of the Protocol | - |
| 2. Follow-up Meetings | 14 769 |
| 3. Ministers of Security Meetings | 24 506 |
| 4. Publicity | 35 931 |
| **TOTAL III** | **75 206** |
| **IV. Money and Payment Division** | |
| 1. Participation in Technical Meetings of WAMA | 6 180 |
| 2. Organisation of Permanent Technical Committee Meetings on Single Monetary Zone | 20 761 |
| 3. Meeting of the Ad hoc Committee of Heads of State | - |
| **TOTAL IV** | **26 941** |
| **V. Tourism Division** | |
| 1. Promotion and Harmonisation of Tourism Products. | 4 614 |
| 2. Harmonisation of Regulations on Tourist and Hotel Activities. | 13 950 |
| 3. Facilitation. 13 082 | |
| **TOTAL V** | **31 646** |
| **VI. Technical Cooperation** | **10 000** |
| **TOTAL TRADE, CUSTOMS, IMMIGRATION, MONEY AND PAYMENTS AND TOURISM** | **304 339** |
| **F - ECONOMIC RESEARCH DEPARTMENT** | |
| **I. Economic Research Division** | |
| 1. Macro-economic Cooperation Programme. | 12 019 |
| 2. Strengthening the ECOWAS Institutional arrangements. | |
| a. Meeting of Heads of ECOWAS National Units. | 3 500 |

| | UA |
|---|---|
| b. Meeting of Permanent Committee. | 8 388 |
| c. Rationalisation of IGOs. | 22 548 |
| **TOTAL III** | **12 500** |
| **II. Project Division** | |
| Mobilisation of External Resources for ECOWAS program. | **12 409** |
| **II. Statistics Division** | |
| Development of the ECOWAS Statistical System. | |
| 1. Updating of Statistical data. | 17 707 |
| 2. Harmonisation of Statistical Tools. | 14 463 |
| 3. Statistical Cooperation Policy. | 6 611 |
| 5. Technical Cooperation meetings. | 10 000 |
| **TOTAL ECONOMIC RESEARCH DEPARTMENT** | **107 645** |
| **G - INFORMATION DEPARTMENT** | |
| **1. Community Information Policy** | |
| - Meeting of the Ministers of Information. | **4 476** |
| **2. Sensibilisation on ECOWAS** | |
| - ECOWAS at 25 years (Special Anniversary) | 30 900 |
| - Journalists in West Africa. | 5 030 |
| - ECOWAS Anthem | 20 798 |
| - Publicity and Promotion | 35 810 |
| **TOTAL II** | **92 538** |
| **3. Publication of Magazines and Diffusion of Information** | |
| - The West African Bulletin | 12 500 |
| - ECOWAS Briefs. | 3 500 |
| - Subscription of AFP | 4 312 |
| **TOTAL III** | **20 312** |
| **4. Cooperation Technique** | **5 000** |
| **TOTAL DEPARTMENT INFORMATION** | **122 326** |

| | UA |
|---|---|
| **H - COMMUNITY COMPUTER CENTRE** | |
| **I. Technical Development Division** | |
| 1. Development of ECOTRADE | 6 051 |
| 2. Development of Data Processing Software for ECOWAS Institutions. | 32 038 |
| **TOTAL I** | **38 089** |
| **II. Operations Division** | |
| 1. Implementation of ECOWAS Trade Information | 147 298. |
| 2. Data Processing Services for ECOWAS | 80 893 |
| **TOTAL II** | **228 191** |
| **III. Training and Technical Assistance Division** | |
| 1. Organisation and Participation in ASYCUDA and EUROTRACE Training Programmes. | 25 871 |
| 2. Technical Assistance to Member States. | 60 359 |
| **TOTAL III** | **86 230** |
| **IV. Technical Cooperation** | 5 000 |
| **TOTAL COMMUNITY COMPUTER CENTRE** | **357 510** |

## REGULATION C/REG.16/12/99 APPROVING THE BUDGET OF THE EXECUTIVE SECRETARIAT FOR THE 2000 FINANCIAL YEAR

**THE COUNCIL OF MINISTERS**

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

MINDFUL of the provisions of Article 69 of the Revised Treaty which relates to the budget of the Community;

MINDFUL of the Financial Regulations and Manual of Accounting Procedures of the Institutions of ECOWAS adopted in Lomé through Council Decision C/DEC.4/11/89 dated 30th November, 1989;

HAVING CONSIDERED the budget proposed by the Twenty-fourth meeting of the Administration and Finance Commission, held in Lomé from 27th November to 3rd December, 1999.

**ENACTS**

**Article 1**

The budget of the Executive Secretariat for the 2000 financial year, balanced in income and expenditure at ten million three hundred and ninety-one thousand three hundred units of account (UA 10,391,300) is hereby approved.

**Article 2**

An amount of seven million two hundred and one thousand units of account (UA 7,201,000) shall be derived from the annual contributions of Member States. Another sum of one hundred and ninety thousand three hundred units of accounts (UA 190,300) shall be derived from the internal resources of the Executive Secretariat, while the balance of three million units of accounts (UA 3,000,000) shall be obtained from arrears paid in respect of past budgets.

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL.**

## REGULATION C/REG.17/12/99 AUTHORISING THE RECRUITMENT OF A PERMANENT GENERAL SERVICES STAFF GRADE IN THE AUDIT DEPARTMENT OF THE EXECUTIVE SECRETARIAT

**THE COUNCIL OF MINISTERS,**

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

CONSIDERING the grossly inadequate staff strength in the Audit Department of the Executive Secretariat;

ALSO CONSIDERING the large volume of work in the above-mentioned Department;

ON THE RECOMMENDATION of the twenty-fourth meeting of the Administration and Finance Commission held in Lomé from 27th November to 3rd December, 1999;

**ENACTS**

**Article 1**

1. The Executive Secretariat is hereby authorised to recruit, on a permanent basis, a General Services staff (G4) within the Audit Department.

2. Authorisation in hereby also given for the promotion from level G4 to G5 of the incumbent General Services staff member in Department.

**Article 2**

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN,**
**FOR COUNCIL.**

## REGULATION C/REG.18/12/99 RELATING TO THE RENEWAL OF LEASE AGREEMENTS ON THE RESIDENCES OF EXECUTIVE SECRETARIAT STAFF IN ABUJA

**THE COUNCIL OF MINISTERS**

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

CONSIDERING that the completion date for the construction of official residences for the staff of the Executive Secretariat at Katampe, Abuja has been moved forward from December 1998 to June 2000 as a result of delays in the commencement of construction works;

NOTING that the leases on most of the residences rented for the staff of the Executive Secretariat in 1998 are due to expire in February 2000;

AWARE of the need to renew the lease agreements on the staff residences in Abuja and make funds available to the Executive Secretariat for this purpose;

On the recommendation of the Twenty-fourth Meeting of the Administration and Finance Commission held in Lomé from 27th November to 3rd December, 1999;

**ENACTS**

**Article 1**

An amount of 707,000 UA representing the current cost of rent paid for staff accommodation plus a maximum increase of 10% is hereby granted for the renewal of the leases on the residences of ECOWAS Secretariat staff in Abuja for a period of two years.

**Article 2**

A meeting of the ad hoc ministerial committee on construction of staff residential accommodation shall be convened in Abuja no later than February 2000 to assess progress on the construction works and to examine the problems of infrastructure and security at the location.

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

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

**REGULATION C/REG.19/12/99 APPROVING THE UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME (UNDCP) PRIORITY PROGRAMME OF ASSISTANCE TO MEMBER STATES OF ECOWAS FOR THE WAR AGAINST DRUGS IN WEST AFRICA (2000 - 2004)**

**THE COUNCIL OF MINISTERS;**

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

**CONCERNED** by the magnitude of drug abuse and illicit trafficking within ECOWAS Member States;

**EAGER** to preserve the harmonious economic and social development of ECOWAS Member States through concerted and coordinated action against drugs;

**DETERMINED** to implement the Political Declaration and the resolutions adopted by the 20th Extraordinary Session of the United Nations General Assembly on the control of the global problem of drug held in New York on 10th June, 1998;

**TAKING INTO ACCOUNT** the Regional Priority Programme for Drug Control (1999-2003) adopted by the Council of Ministers in its 43rd Session held in October 1998 and submitted to the United Nations International Drug Control Programme (UNDCP) for funding;

**ON THE RECOMMENDATION** of the third meeting of the Coordinators of the Inter-Ministerial Drug Control Committees in West Africa held in Dakar, 15th to 18th November, 1999;

**ENACTS**

**Article 1**

The attached United Nations Drug Control Programme (UNDCP) Priority Programme of Assistance to member States of ECOWAS for the war against drugs in West Africa (2000 - 2004), 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 from the day of signature by the Chairman of the Council. It shall also be published by each Member State in its National Gazette, within the same deadline as above.

**DONE IN LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME

Regional Office for West and Central Africa

# ASSISTANCE PROGRAMME FOR DRUG CONTROL IN WEST AFRICA 2000-2004

ECONOMIC COMMUNITY OF WEST AFRICAN STATES

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## ABBREVIATIONS, ACRONYMS, TABLES, FIGURES AND ANNEXES

| | |
|---|---|
| **CICP** | Centre for International Crime Prevention. |
| **ECOWAS** | Economic Community for West African States. |
| **IMDCC** | Interministerial Drug Control Committee. |
| **INCB** | International Narcotics Control Board. |
| **HONLEA** | Heads of National Law Enforcement Agencies. |
| **PAAD** | Programme Africain Anti-Drogue (EU Regional Project). |
| **RILO** | Regional Intelligence Liaison Office. |
| **UNESCO** | United Nations Educational, Scientific and Cultural Organization. |
| **UNFDAC** | United Nations Fund for Drug Abuse Control. |
| **UNFPA** | United Nations Population Fund. |
| **UNGASS** | United Nations General Assembly Special Session on Drugs. |
| **UNICEF** | United Nations Children's Fund. |
| **UNIFEM** | United Nations Development Fund for Women. |
| **WCO** | World Customs Organization. |

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## 1. Introduction

Drug abuse and trafficking are not new phenomena in Africa. In the early 1960s, cannabis was cultivated in a few countries in Africa and mainly for export to Europe. The number of countries where cannabis was produced increased rapidly during the next ten years in order also to satisfy an increasing local consumption. During the same period, a few countries also served as transit points for the traffic of psychotropic substances. Illicit trafficking in heroin and cocaine was not observed in Africa until the early 1980s, but the problem became visible within a few years.

Since the recognition in the beginning of the 1980's that West African countries were also targeted by drug traffickers, UNFDAC, and UNDCP as of 1991 have been providing technical cooperation assistance to these countries. The largest project, which had a budget of US$ 4.5 million, was implemented between 1994 and 1998 in collaboration with the ECOWAS Secretariat and the governments of the sixteen West African countries. This important project laid the foundation for sound regional and national drug control coordination and policy-making through the strengthening of structures, capacities and human resources for drug control. The project also raised the commitment for drug control at the political level and led in 1997 to the adoption of an ECOWAS Regional Drug Control Plan of Action.

The assistance provided to the sixteen countries of West Africa and their own national efforts have succeeded to some extent to contain drug trafficking and abuse to limited proportions for a number of years. However, with the ever-changing patterns in drug trafficking, and the ability of trafficking networks to identify and take advantage of weak spots, West African countries have increasingly become important transit points for cocaine and heroin. This trend is confirmed by the unprecedented increase in cocaine and heroin seizures reported by several countries in recent years, and especially in 1997 and 1998. At the same time several countries emerged as consumer markets for these substances, as well as psychotropic substances and locally cultivated cannabis.

The real level of demand for and abuse of drugs needs to be identified and documented further, but it appears that the availability of drugs, some of which are very cheap, plays an important role in the increase of substance abuse. The profound social malaise and economic difficulties of large segments of the population are also important factors in drug abuse and drug related crime.

The drug issue has now reached such an extent in some countries, that it is considered to be a destabilizing factor for their fragile economies due to increasing number of criminal activities related to drugs, including money laundering and corruption. In other countries, cannabis cultivation is affecting medium to long-term agricultural policies put in place with the assistance of the international donor community.

The battle for drug-free societies in West Africa is therefore far from being over. Much remains to be done for the countries to fully implement the provisions of the three international conventions. It is against this background and in reply to requests for additional assistance from the countries that UNDCP has formulated the present Assistance Programme for Drug Control in West Africa covering the period 2000 - 2004. This Assistance Programme has been developed as a channel for targeted drug control assistance to West Africa. It is based on the ECOWAS Regional Plan of Action Against the Abuse and Illicit Traffic of Drugs and Psychotropic Substances in West Africa, the UNGASS Political Declaration, the OAU Plan of Action as well as several assessments undertaken by UNDCP in recent years.

The strategy of UNDCP in the present Assistance Programme is threefold: a) Clear focus on the strengthening and empowering of drug control structures already in place in the sixteen countries; b) Promotion of drug control coordination between national drug control entities within a country, between countries in the sub-region and between bilateral and multilateral entities providing support for drug control; and c) Support to the sixteen countries in order to increase their attention on emerging drug related

trends that might rapidly pose new threats, and to take appropriate measures to prevent such threats. Among these emerging problems are money laundering, corruption, and trans-border and urban criminality originating from or fed by drug trafficking.

The Assistance Programme follows a regional approach in order to better adapt to the priority areas of actions common to the sixteen countries and identified in the ECOWAS Plan of Action. In only a few cases related to post-conflict countries, specific national projects will be designed to better assist the particular needs of these countries.

During the past six years, UNDCP has established very strong relationships with the Secretariat of ECOWAS and the national drug control coordination bodies, some of which UNDCP has contributed to establish or strengthen. UNDCP will therefore rely on these national and regional counterparts during the implementation of the Assistance Programme, not only for their political support, but also as beneficiaries of the Assistance Programme and facilitators for its execution.

The Assistance Programme has been developed as an integrated part of UNDCP's priorities for Africa, and is closely linked with other UNDCP activities in the continent. It also provides the regional umbrella for a National Drug Control Assistance Programme for Nigeria 1999-2003 which is being developed to address the magnitude and severity of the drug problem in this country. Except for a few elements, Nigeria is therefore not covered by this Assistance Programme. Mauritania, as the other West African countries, will be covered by the activities of the Programme, even theugh it is no longer part of ECOWAS.

It is expected that by the end of the Assistance Programme in 2004, the civil society of the sixteen countries will have been fully informed of the real extent of the drug issue and will be aware of or have participated in efforts against drug abuse and trafficking at national, regional or inter-regional levels. The knowledge as well as technical and financial means of the governmental entities and the civil society will have been improved, not only for a better control of drug trafficking, but also for the prevention of drug abuse and for the treatment, rehabilitation and reinsertion of drug addicts into society. It is also expected that the institutional capacities for drug control will have been strengthened for all countries in West Africa and that most countries will have adopted and implemented national legislation and law enforcement measures conforming to the three international drug control treaties.

*The International Day Against Drug Abuse and Illicit Trafficking,*
*26th June, 1999*

*...we can, on this International Day against Drug Abuse and Illicit Trafficking, be proud of the tangible progress we have made in the fight against this terrible scourge. The war, however is far from won.*

*We now recognize that solutions are attainable, provided the political will and necessary financial resources are mustered.*

*The global implications and cross-border nature of drug abuse and illicit trafficking make the United Nations the most suitable instrument for waging this war.*

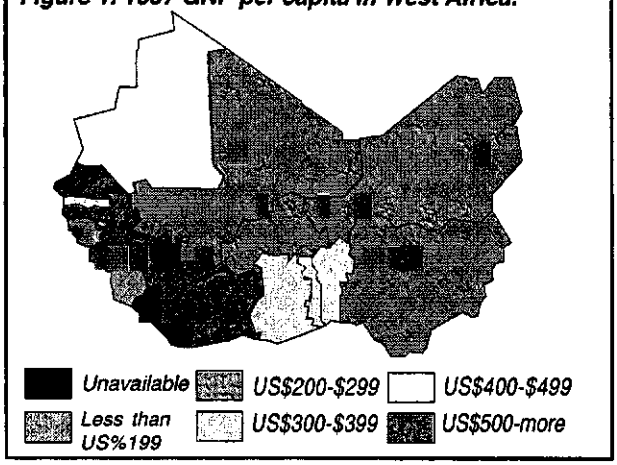
*Message from Mr. Kofi Annan, Secretary-General of the United Nations.*

## 2. Political and Socio-Economic Situation

The sub-region of West Africa comprises sixteen countries: Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo. Different by their geographical size, population (total population estimated at 216 million, 55% of whom are under 25 of age), ethnic and cultural backgrounds, and endowment in natural resources, the countries of the sub-region have in common some of the lowest standards of living in the world, with half of their population living in poverty. With the exception of Cape Verde and Ghana, all these countries have been classified by UNDP as countries with low human development index in the 1999 Human Development Report.

The countries of the sub-region display a mixed economic scenario. Most national economies, especially those of the CFA zone, are showing signs of progress with increase of the GDP by more than 4% for the third consecutive year. These positive results are generally imputed to several factors, including favourable climatic conditions boosting the agricultural sector, a more judicious use of new loans and the impact of adjustments programmes being implemented throughout the sub-region (internally through the reduction of public spending, the downsizing ef the public sector through privatization and the liberalizing of the economy, as well as externally through devaluation). At the same time, however, the flow of foreign private investments is not as massive as expected, the labour markets are unable to absorb the increase in active population, and living standards ere deteriorating. In fact, the national economies of the sub-region remain fragile due to their heavy dependence on a few export primery commodities, the prices of which are volatile on the world market and in several cases decreasing. The burden of foreign debt service as well as the difficult situation of several countries due to natural or man-made disasters, one of the most preoccupying of which is desertification, add up to the economic uncertainty.

*Figure 1. 1997 GNP per capita in West Africa.*



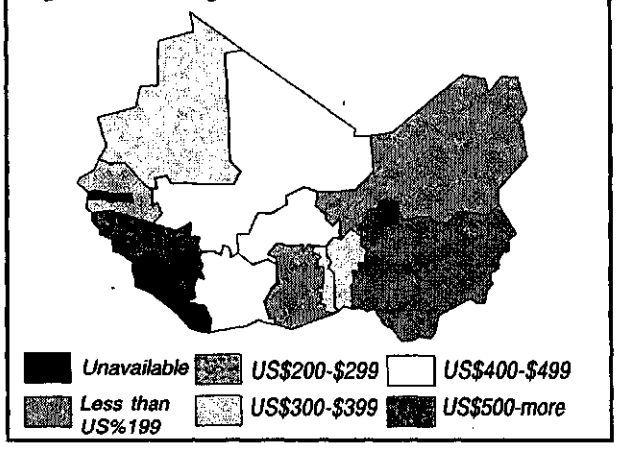

The West African sub-region appears as marginalized, having only a small role to play in the globalization of world markets. Furthermore, millions of people throughout the sub-region are left out by their national economies which are unebie to provide them with opportunities for a decent living. In response, large segments of the population create survival schemes through the "informal sector", where the rigour and rationality of the dominant market economy are attenuated by a polymorphic solidarity, present in most African cultures. The informal sector is not a panacea, however, and the closely knit ties which dominate it are sometimes conducive to illegal activities. The economic fragility, added to the destabilizing factors such as political instability and corruption, have contributed to increase vulnerability of West Africa to drug traffic and abuse.

Most of the countries in the West African sub-region gained independence in the early 1960s. Several of them have experienced thereafter long authoritarian regimes and/or one party governments. The democratization process has therefore been slow to start in the sub-region and remains fragile in several countries, as an increasing number of opposition leaders voice concern over a de facto confiscation of power by majerity parties often resulting from military or single rule regimes. In general, opposition parties perceive that fair ground for political alternance does not exist and have, in several countries, shown their discontent by boycotting legislative or presidential elections as in Burkina Faso and Mali, or Togo where the main opposition parties have contested the results of elections on the ground of massive fraud.

Meanwhile, faced with widespread poverty, the population in a number of these countries is growing skeptical towards the political arena as indicated by very low participation in elections. The struggle for political power has led to internal political conflicts (case of Senegal) or civil wars (cases of Guinea Bissau, Liberia and Sierra Leone) which have resulted in massive suffering and displacement for large segments of the population.

Confronted with similar economic hardships, fifteen of the sixteen countries are grouped in the Economic Community of West African States (ECOWAS), a regional entity created on 28th May, 1975 and based in Abuja, Nigeria. Mauritania, which was also a member of ECOWAS, withdrew from the organization in December 1999. The mandate of ECOWAS is to promote cooperation and integration in an economic union in the sub-region with the aim of increasing the living standards of the populations. ECOWAS also aims at maintaining and increasing economic stability, strengthening the relations between member states and contributing to the overall development of the African continent. The role of ECOWAS is significant in promoting the free movement of commodities as well as people within West Africa. However, progress has been slow in economic integration. In addition, the existence of a monetary and economic union (UEMOA) between the eight countries (Benin, Burkina Faso, Cote d'Ivoire, Guinea Bissau, Mali, Niger, Senegal and Togo) sharing a common currency, the CFA Franc pegged to the French Franc and subsequently to the Euro as of 1999, does not ease efforts for the creation of a larger economic space. It is the intention of the ECOWAS Member States to create a single currency by 1st January, 2004.

*Figure 2. Annual growth rate in % in GNP 1996 - 1997.*




In addition to its role as a catalyst for economic union in the sub-region, ECOWAS has become a key player in the political arena, with the peace keeping/enforcing actions of ECOMOG (ECOWAS Monitoring Group). In a lucid approach towards the resolution of internal conflicts which are of limited geographical and strategic interest beyond the sub-region, ECOWAS Heads of State have sent troops from their respective countries to Guinea-Bissau, Liberia and Sierra Leone with the purpose of restoring peace. Comforted by the success of ECOMOG in Liberia, the Heads of State have decided to put in place a permanent mechanism for the prevention and resolution of conflicts in the sub-region, thus giving to ECOWAS a major role and mandate in ensuring political stability in West Africa. A Mediation and Security Council comprising ten countries has been set up in the framework of a mechanism to prevent and settle conflicts, and to maintain peace and security.

ECOWAS is also actively involved in social fields including drug control activities. Although not initially prepared to deal with the drug issue, the Secretariat of ECOWAS has included drug control in its coordinating functions, with the strong commitment of its Member States, recently demonstrated during the 20th ECOWAS summit in Abuja, Nigeria with the burning of seized drugs by the sixteen Heads of State and Government. A Drug Control Unit was set up in 1996 within the ECOWAS Secretariat and has as its objective to coordinate drug related matters at the regional level and serve as a center of information and reference in drug control for West Africa.

## 3. Drug Control Situation Analysis

The drug problem in West Africa including illicit cultivation, trafficking and abuse is closely related to the prevailing situation in other parts of the world. Poor economic performance in most African countries,

political instability and turmoil in the continent and the fact that large profits can be made from illicit cannabis cultivation and drug trafficking have contributed significantly to increase this problem, which has also been exacerbated by rapid urbanization in many countries, the absence of good governance, political and ethnic conflicts, large scale refugee problems arising from conflicts and the adverse influences of growing poverty and unemployment.

### 3.1 Illicit Drug Cultivation

Cannabis is the only known drug cultivated in the sub-region. The assessment of areas under cultivation is, however, difficult for two reasons: the often small size of cannabis plantations hidden among other crops (although farms of up to 20 ha. exist in Nigeria), and the fact that the plant grows wild in many areas. The largest quantities are produced in Nigeria and Ghana, followed by Senegal and Cote d'Ivoire, according to the 1998 Annual Report of the International Narcotics Control Board (INCB). Ghana alone accounted for 40.35% of the cannabis herb seized in West Africa in the period between 1990-1998, Senegal for 35% and Nigeria for 17%. Massive destructions of seized cannabis have been conducted in Ghana, Nigeria (430 tons between 1994 and 1997) and Senegal (mainly in the Casamance region). In 1999, 111 tons of seized cannabis were burned in that country in connection with the celebrations of the International Day against Drug Abuse and Trafficking.

***Table 1. Seizures of cannabis herb in selected countries, 1990 -1998***

| Selected Countries | Grand Total 1990-1998 | In% of West Africa | In% of Sub-Saharan Africa | In % of global |
|---|---|---|---|---|
| Ghana | 231,257 kg | 40.35% | 5.56% | 0.95% |
| Nigeria | 97,205 kg | 16.96% | 2.34% | 0.40% |
| Senegal | 200,853 kg | 35.05% | 4.83% | 0.82% |
| West Africa | 573,120 kg | 100.00% | 13.78% | 2.35% |
| Sub-Saharan Africa | 4,159,013 kg | - | 100.00% | 17.02% |
| **Global** | **24,433,667 kg** | **100.00%** | **-** | **100.00%** |

*Source: UNDCP Seizure Database, IMDCC*

The increasing cultivation of cannabis is emerging as a structural phenomenon as it often substitutes for limited returns on licit agricultural farming goods. The implementation of Structural Adjustment Programmes (SAPs) which put an end to state subsidies for export products contribute to make cannabis cultivation a lucrative alternative to licit crop production. In addition, the plant is relatively easy to cultivate, can be harvested up to three times per year in most areas, and offers better income generating possibilities when compared to traditional agricultural crops in the sub-region, the prices of which have collapsed on international markets (e.g. cocoa in Cote d'Ivoire and Ghana, coffee in Cote d'Ivoire, groundnuts in Senegal).

In Senegal, the Casamance region has become the largest area under cannabis cultivation in the country. Important quantities of cannabis have been seized from ethnic Djolas known for their sympathy for the Movement des Forces Démocratiques de Casamance (MFDC) which strives for autonomy for the Casamance Region.

The significant number of European tourists who come to the countries is also a very profitable outlet for the local cannabis production in The Gambia and Senegal, thus making way to a form of narco-tourism. Similar patterns are occurring in Cote d'Ivoire, and Ghana with their developing tourist sectors.

The income generating prospects associated with cannabis cultivation certainly constitute a highly attractive

factor which can only be compensated by the dissuasive presence and actions of law enforcement entities. At the same time, however, the desire of farmers to substitute for declining revenues from legal agricultural activities is a complex issue which cannot simply be resolved by farms or crops destructions.

### 3.2 Illicit Drug Trafficking

As in other African regions, West Africa is confronted with an increasing regionalization and internationalization of illicit drug trafficking, including stronger connection between different West African trafficking groups but also with other African and non-African criminal networks. West Africa's vast and porous borders, international waterways for commercial and private vessels, and increasing number of international airports and flights, coupled with the insufficient capacity for sound monitoring, control and enforcement provide an ideal basis for drug trafficking.

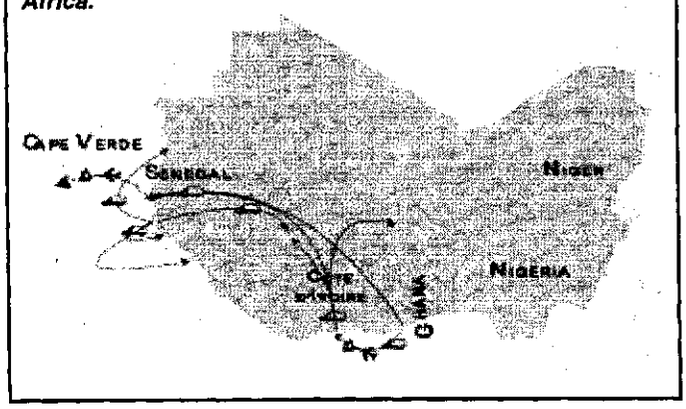
Trafficking of illicit drugs concerns to various degrees all sixteen countries of the sub-region and involves cannabis within the sub-region, cocaine from South America (Brazil, Venezuela), heroin from South West Asia (India and Pakistan) and South East Asia (mainly Thailand), and psychotropic substances. Nationals from some countries (The Gambia, Ghana and Nigeria) as well as organized groups are beginning to operate at a high level of sophistication. Ghana is a significant provider of drug couriers who smuggle Brazilian cocaine and Golden Triangle heroin in and out of the country and carry it on to western countries. In Cote d'Ivoire, the presenca of Latin American and Middle East traffickers has been reported.

Drug trafficking in West Africa can be characterized as follows (additional information is contained in annex 2a-2e):

**Cannabis**

The cannabis cultivated in West Africa supplies local demand throughout the sub-region and beyond mainly to Europe. Cannabis from Ghana, which is in high demand in other West African countries due to its high THC content is trafficked both by road and boat, and concealed among loads of legal merchandises. Cote d'Ivoire, Ghana, Nigeria and Senegal accounted for 16,8% of the total cannabis herb seizures in Sub-Saharan Africa in 1996 which was down from 50,59% in 1995. This significant decrease is due to exceptionally high seizures operated in Ghana and Senegal in 1995 compared to the more modest seizures of 1996. The Senegalese Gendarmerie, responsible for most of the seizures has explained the record figures of 1995 by the level of financial resources made available to them by the Government during that year. For Ghana, the Narcotics Control Board (NCB) indicates that the enormous quantity reported is based on estimates of destructions operated during an intense 2-3 weeks operation carried out by the Police Narcotics Unit in the Eastern as well as the Volta Regions. From 1990 to 1998 West Africa accounted for 13,79% of the cannabis herb seized in Sub-Saharan Africa. For international cannabis trafficking routes affecting West Africa, please refer to annex 4.

*Figure 3. Major Trafficking Routes for Cannabis in West Africa.*




**Cocaine**

Originating mainly in Brazil, cocaine shipments to West Africa are primarily destined to Cape Verde. Cote d'Ivoire, Ghana and Nigeria but also to Benin, Burkina Faso and Togo. Due to rigid controls at Nigerian airports and harbors in the past four years, trafficking has partly shifted to other countries in

West Africa, particularly those surrounding or close to Nigeria. As indicated in table 2 below, tighter control in Nigeria went in parallel with an increase in trafficking through Benin, Burkina Faso and Togo. These three countries have recorded in 1996 and mainly 1997 a considerable increase in cocaine seizures. There are no indications that this alarming trend has stopped in 1998. In addition, it has been reported from the said countries that trafficking groups are increasingly making use of seaports for bulk transports as well as postal services. For international cocaine trafficking routes affecting West Africa, please refer to annex 5.

*Figure 4. Major Trafficking Routes for ocaine in West Africa*

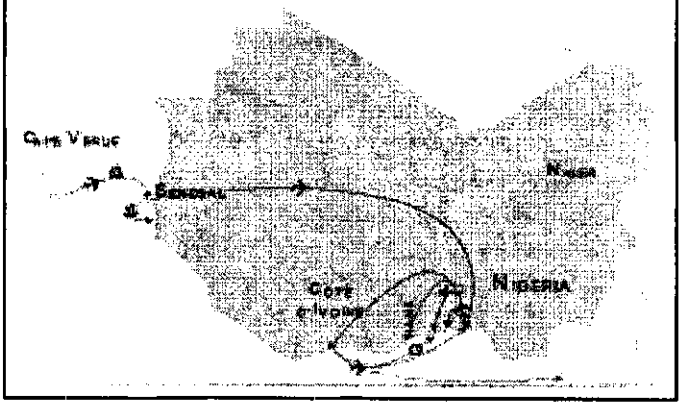


***Table 2. Seizures of cocaine in selected countries, 1993-1998***

| Selected countries | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 |
|---|---|---|---|---|---|---|
| Benin | 1 kg | 0.82kg | 6.96 kg | 40.37 kg | 15.16 kg | 0.61 kg |
| Burkina Faso | 0.09 kg | 3 kg | - | 0.26 kg | 278 kg | 0.008 kg |
| Cote d'Ivoire | 2.33 kg | 0.13 kg | 2.86 kg | 33.02 kg | 22.03 kg | 19.02 kg |
| Niger | 0.004 kg | 0.002 kg | - | 0.02 kg | 28.87 kg | 0.233 kg |
| Nigeria | 1,308.67 kg | 90.76 kg | 15.91 kg | 6.16 kg | 31.9 kg | 9.26 kg |
| Togo | - | - | - | 1.08kg | 13.87 kg | 5.183kg |
| Subtotal above | 1,312.09 kg | 94.712 kg | 25.73 kg | 80.91 kg | 389.83 kg | 34.314 kg |
| West Africa (total) | 1,331.63 kg | 107.52 kg | 132.57 kg | 99.74 kg | 483.47 kg | 112.24 kg |
| **Sub-Saharan** | **1,440.95 kg** | **182.20 kg** | **335.60 kg** | **303.85 kg** | **1214.32 kg** | **801.67 kg** |

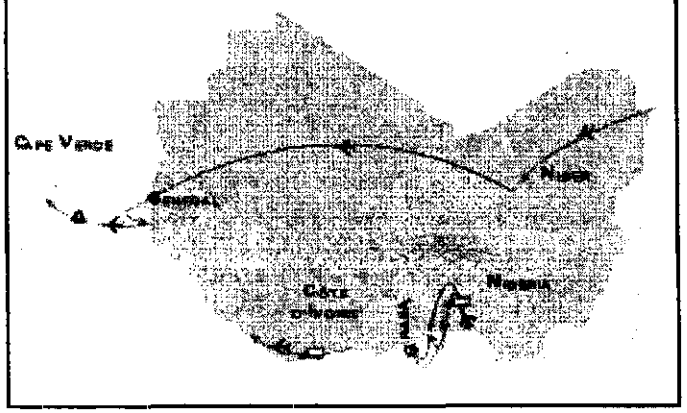
*Source: UNDCP Seizure Database, IMDCC*

Senegal and Cape Verde, geographically well placed and connected to Brazil through air or sea links, are of particular significance in the transit of cocaine to Europe and North America. Cape Verde has become an important transit point for trafficking between Senegal, South Africa and North America. Other trafficking routes include Cape Verde, Senegal and Nigeria. From Nigeria, cocaine is transported by air, ship or vehicle to neighboring countries, including Benin, Burkina Faso, Ghana and Togo. The number of nationals of Sub-Saharan Africa arrested for cocaine trafficking in 1996 amounted to 312.

## Heroin

As for cocaine, trafficking patterns for heroin has undergone significant changes in the past several years. Although Nigerian networks continue to control the illicit traffic of heroin in the sub-region and beyond, they have shifted parts of their business to neighboring as well as other African countries and are making wider use of other African nationals as drug couriers. The increased use of postal and express courier services for heroin, and to a lesser extent cocaine trafficking, is also worth noticing. Frequent seizures made in Cote d'Ivoire and other countries illustrate the extent of this phenomenon to which the Heads of National Law Enforcement Agencies (HONLEA)

*Figure 5. Major trafficking routes for heroin in West Africa.*



in Africa accorded a specific attention during the HONLEA meeting in April 1998. Heroin, obtained particularly from Pakistan and countries in South East Asia, is smuggled by couriers on commercial flights through African countries en route to Europe and North America. In the case of West Africa, the drugs converge mainly in Cote d'Ivoire, Ghana, Nigeria and Senegal. After an overall seizure decrease from 1990 to 1996 resulting mainly from Nigeria, a considerable increase was registered for 1997 with Benin and Burkina Faso accounting for nearly 80% of the heroin seized in West Africa, which amounts to 72% of the entire seizures for the Sub-Saharan African region during that year. For international heroin trafficking routes affecting West Africa, please refer to annex 6.

***Table 3. Seizures of heroin in selected countries, 1993-1998***

| Selected Countries | 1993 | 1394 | 1995 | 1996 | 1997 | 1998 |
|---|---|---|---|---|---|---|
| Benin | 0.77 kg | 2.00kg | 5.16 kg | 30.35 kg | 142.82 kg | 3.19 kg |
| Burkina Faso | 0.05 kg | 9.00 kg | - | 1.14 kg | 222 kg | 0.240 kg |
| Nigeria | 287.59 kg | 91.65 kg | 30.27 kg | 19.38 kg | 10.49 kg | 5.84 kg |
| Togo | - | - | - | 0.03 kg | 81.60kg | 27.369 kg |
| Subtotal above | 288.41 kg | 102.65 kg | 35.43 kg | 50.9 kg | 456.91 kg | 36.64 kg |
| West Africa (total) | 305.92 kg | 182.30 kg | 62.01 kg | 70.33 kg | 459.383 kg | 106.98kg |
| **Sub-Saharan Africa** | **373.91 kg** | **258.49 kg** | **260.25 kg** | **129.52 kg** | **517.94 kg** | **144.91kg** |

*Source: UNDCP Seizure Database, IMDCC*

**Psychotropic Substances**

Over the past few years, West Africa has been experiencing an alarming increase in illicit trafficking and abuse of psychotropic substances. These substances include ephedrine, pemoline, amphetamine and benzodiazepine (mainly diazepam). In Nigeria, for example, seizures for psychotropic substances totalled 1203.79 kg in 1996 and 1736.01 kg in 1997, compared to 210.39 kg in 1995. A substantial portion of these substances are consumed locally, and the rest is re-exported through Nigeria mainly to other countries in the sub-region such as Benin, Guinea, Liberia, Sierra Leone and Togo, or outside the sub-region. Evidence also exists that depressants are increasingly diverted from legal pharmaceutical distribution circuits in West Africa.

The existence of illegal distribution channels of pharmaceuticals freely sold in urban as well as rural markets, the self-medication habits of large portions of the populations of West Africa, and the low income of these populations all exacerbate and encourage the traffic of pharmaceuticals, including narcotic drugs and psychotropic substances. Methaqualone widely available and manufactured locally in clandestine laboratories in South Africa, has now appeared in West Africa as witnessed by seizures made in 1998 in Burkina Faso. Virtually all countries of the sub-region report trafficking and/or abuse of psychotropic substances. Drugs of all types also circulate on a large scale in the sheltering zones of Liberian and Sierra Leonean refugees. Guinea reported seizures of 20 million and 9 million of ephedrine pills in 1996 and 1997. Sierra Leone imported more than 4 tons of ephedrine in 1996 and made orders of some 5.6 tons ih 1997. Such large quantities raised concerns of the INCB in its 1998 report as the imported substances were largely above legitimate medical needs.

## 3.3 Drug Related Criminality

The trafficking in drugs is often associated with other criminal activities growing in a fertile ground resulting from economic hardship and political instability.

**Money Laundering**

The countries in West Africa are particularly vulnerable to rising criminality including money laundering and corruption. Weak or non-existing financial and banking laws and regulations are

conductive to money laundering. In Senegal, for instance, large amount of funds has been identified without them having any retraceable sources. Although Senegal has a law against "illicit enrichment", it has never been enforced. Investments in the tourist sector appears as an alternative channel for money laundering in some countries. In others, foreign exchange bureaus are used as a conduit. In most countries money laundering is a relatively new phenomenon, the dimension of which is perhaps not fully understood. As most West African countries are eager to attract more foreign direct investments, their attention should be drawn to the fact that not all financial resources contribute to long-term development. Thus, there is an urgent need in the sub-region to take measures against money laundering activities and the promotion of mutual legal assistance as a subset of strategies to disrupt and inhibit drug trafficking.

*United Nations General Assembly Special Session June 1998*

*Drugs, we can not stress it enough, are a global and insidious phenomenon which undermine the foundation of our society by destabilizing the democratic, economic and social order. Drug cartels support organized crime activities, such as arms trafficking, corruption and money laundering.*

*Statement by the Head of Delegation from Cote d'Ivoire*

**Arms and Other Traffic**

Drug trafficking has also an impact on other forms of criminality such as the traffic in small arms. The three civil wars in Guinea Bissau, Liberia and Sierra Leone as well as the conflicts in Mali, Niger and Senegal have considerably increased the quantity of arms circulating in West Africa. To fight the traffic in small arms and ammunition as well as transborder crime in the sub-region, the countries of West Africa signed in October 1998 a declaration on the moratorium of import, export and fabrication of small arms in West Africa. In the declaration, which went into effect on 1st November 1998 for an initial period of three years, the Heads of State and Government expressed deep concern over the increase in traffic of small arms and the fact that this constituted a destabilizing factor as well as a threat to peace and security in the member states. The declaration also recommends that the Executive Secretary of ECOWAS work together with the United Nations to convene a meeting for the sixteen Ministers of Foreign Affairs as well as experts in view of defining the operational framework related to the moratorium in a Coordination and Assistance Programme on Security and Development. For the implementation of the Programme, financial assistance is expected from OAU, the United Nations as well as the international community in general.

**Corruption**

Drugs and corruption, including bribery and fraud, are twe very closely related issues. Unstable political and economic conditions in several countries are often conducive to drug trafficking and corruption which prevail at the level of law enforcement agencies, judiciary bodies but also pharmacy control boards. In the case of countries that went through a civil war or local conflicts, the break-down of law and order has been conducive to all kinds of criminal activities including drug trafficking.

Countries in West Africa have witnessed an increasing number of corruption scandals involving high government officials. In some countries, drug trafficking networks have bribed judges making it difficult to pursue their cases. In other circumstances, drug traffickers have been granted bails instead of being arrested, allowing them to flee the country. Mauritania reported on a severe case of corruption within law enforcement services in 1996 involving 49 police officers at all levels, who collaborated with a drug trafficking ring which had been operating in the country for 20 years.

Several countries are creating or strengthening mechanisms and structures to promote transparency and good governance. These initiatives offer a good opportunity to raise awareness towards drug related corruption.

### 3.4 Drug Abuse

> *United Nations General Assembly Special Session, June 1998*
>
> *Sierra Leone, like many other countries, is experiencing acute problems associated with the illicit production, consumption and trafficking of dangerous drugs. [...] The abuse of cocaine and heroin have increased significantly over the years. as a result of the rebel war and the spill-over effect of transit traffic from source continents such as Asia and South America.*
>
> *Statement by the Head of Delegation from Sierra Leone*

With an increase in the cultivation of cannabis and the spill-over effect from the transit of illicit drugs such as cocaine and heroin in the sub-region, a rise in the number of drug abusers has been reported by most countries. However, little 'reliable national survey information is available at this stage to corroborate these statements or to detsrmine the exact nature, extent and patterns of the abuse. The UNDCP Drug Nexus Study presents a worrisome picture from which cannabis and psychotropic substances (methamphetamine, barbiturates) emerge as the most abused drugs. The combination of various substances including alcohol also characterizes drug abuse in the sub-region. Four rapid assessment studies that UNDCP launched in April 1999 with national authorities of Cote d'Ivoire, Ghana, Nigeria and Senegal will contribute to increase the knowledge of the extent and pattern of drug abuse in these countries where the situation appears to be most worrisome.

As for the abuse of cannabis, two groups of users can be identified. While the small middle-class and students might use it rather for recreational purposes, the larger segment, which consists of the deprived, unemployed, street children and prostitutes, relies on it as a means to escape from reality. Cannabis is easily and widely available in most cities, and is a relatively cheap and affordable substance. Its abuse seems to be still limited in rural areas.

The abuse of psychotropic substances occurs in urban as well as rural settings, and appears to be related to the desire to cope with stressful situations, to be able to undertake difficult tasks or to stay alert for longer periods of time. These substances are therefere used by taxi and truck drivers, farmers during harvest seasons and students. Psychotropic substances, especially amphetamines, top the list of illicit drugs used, for instance, in Burkina Faso. The use of inexpensive substances such as glue, solvent, thinners, petrol and gasoline is common among street children and has been reported by many countries including Cote d'Ivoire, Mauritania and Senegal. These substances, cheap and widely available, are sometimes the first step to substance abuse among children and youth.

The abuse of cocaine, crack and heroin is already a cause of concern in several countries of the sub-region (Cape Verde, Ghana, Nigeria and Senegal). In fact, it seems that these drugs are attracting a larger segment of the West African urban population, given their availability, even if their abuse still remains limited. In Cape Verde, national authorities report that heroin followed by cocaine and crack are the most abused substances in the island of Sao Vicente.

> *United Nations General Assembly Special Session, June 1998*
>
> *In the case of Liberia, which experienced seven years of war, until last July when democratic elections were held, the incidence of drug abuse had reached alarming porportions... A strategy for the rehabilitation of ex-combatants who are drug addicts has been designed by the Authorities.*
>
> *Statement by the Head of Delegation from Liberia*

In Ghana, the drug abuse problem among the youth has become a major concern in the country. Available data show that the number of admissions to psychiatric hospitals due to the abuse of illicit drugs has increased by 34% from 691 in 1994 to 925 in 1996. The most predominant drugs of abuse are cannabis, cocaine and heroine followed by psychotropic substances. Among the drug abusers admitted in hospitals, data

show that the number of women is increasing and that the largest portion of drug abusers is between 21 and 30 years old.

Countries affected by internal conflicts or civil wars are particularly facing problems related to drug abuse and trafficking. A UNDCP assessment mission to Sierra Leone conducted in October 1998 revealed that an alarming high number of ex-combats have been exposed to abuse of drugs during the civil war. Among these are a large number of child-soldiers, who have received drugs in order to fight or were paid with drugs for their work. In addition, children were paid to cultivate drugs and young girls under the influence of drugs were used as sex slaves for the soldiers.

For Liberia, there are data indicating that a large portion of the fighters were abusing drugs and/or involved in drug trafficking during the 6 years of civil war.

## 4. National and Regional Institutional Framework and Capacities

In light of the worsening drug situation, countries in West Africa have been active in the area of drug control. With the assistance of UNDCP as well as other bi- and multilateral entities, they have put in place a legal, institutional, strategic and operational framework at the national and regional levels.

### 4.1 National Level

**Legal Framework**
All sixteen West African countries, at the exception of Liberia which has only ratified the 1961 Single Convention on Narcotic Drugs, are parties to the three international UN Drug Control Conventions. In cooperation with a team of experts from the sub-region, UNDCP has drafted a model legislation in line with the three conventions to serve as a basis for up-dating and harmonizing the national legislation of the sixteen countries. With the assistance of UNDCP, ten countries have so far revised their legislation (Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea-Bissau, Mauritania, Nigeria, Senegal and Togo), while the process has started in six others. When a country updates its legislation, training is provided by UNDCP, upon request, to magistrates in charge of applying the new legislation.

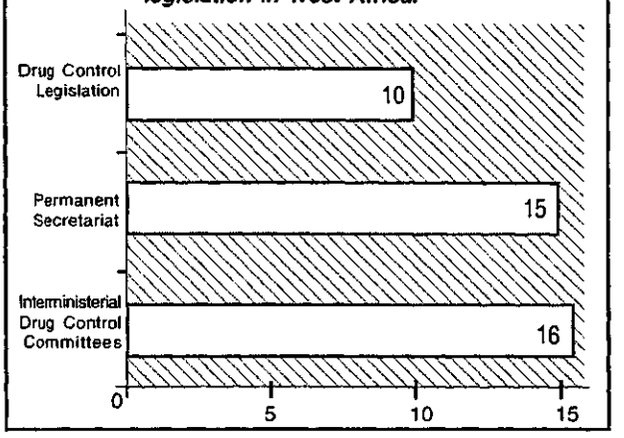
**Institutional Framework and Coordination Structures**
Entities in charge of the coordination of drug control activities exist in all sixteen countries. Several of these entities have been established and assisted during the implementation of UNDCP's regional project RAF/893 for institution and capacity building, and their personnel trained for the coordination of drug control activities. Inter-ministerial Drug Control Committees have been in place in all sixteen countries since 1996. However, the degree of functionality of these bodies varies considerably from country to country.

In Ghana and Nigeria, coordination functions double with law enforcement and drug abuse prevention activities undertaken through powerful entities (National Drug Law Enforcement Agency/NDLEA in Nigeria and Narcotics Control Board/NCB in Ghana) to which important financial and human resoorces have been allocated by their respective Governments.

In most of the other countries, coordination is done through the Inter-ministerial Drug Control Committee in which several ministries and entities involved in the different areas of drug control are represented. The Committee meets on a regular basis and the Permanent Secretariat attached to it and headed by a Coordinator has the responsibility to follow up on decisions taken. An analysis of the situation country by country reveals an extreme diversity in the functioning of these Committees and Secretariats. In the case of Burkina Faso, Senegal and Togo the permanent secretariat has premises, receives financial resources and equipment from the government for its activities, and ts headed by a coordinator exclusively nominated

for the work of the secretariat. In Mali, the secretariat has no budget and no dedicated staff since the coordinator is also the full-time head of the narcotics squad within the judicial police. For a detailed status of the national institutional and legal framework on drug control in West Africa, please refer to annex 1.

*Figure 6. Overview of IMDCC's, drug control legislation in West Africa.*




**National Drug Control Plans**

Most of the countries in the sub-region are in the process of formulating national drug control plans to allow them to identify general orientations in their fight against drug cultivation, trafficking and abuse, and to define priority areas of intervention. To do so, they have benefitted from the assistance of UNDCP, and since 1998 from that of the EU through its African Anti-Drug Project (AADP/PAAD). UNDCP normally provides advisory services where required for the formulation of a country's global orientations for drug control, while project AADP contributes to the formulation of priority projects for the translation into concrete actions of these orientations.

Work has been completed or is underway in several countries to prepare national strategies and with the joint assistance of UNDCP and AADP. It should be noted that the National Programme to fight Drugs in Cape Verde is the first in the sub-region to be fully integrated in the national development plan of the country.

**National Capacities at Operational Level**

As regards the law enforcement aspect of drug control activities, all countries have narcotic drug squads of varying sizes, generally attached to the judicial or national police. In addition to the Police, the Customs, the Gendarmerie and the National Forest Guard are involved in law enforcement activities in most Francophone countries and structures for the centralization of law enforcement activities, based on a French model and called OCRTIS (Central Office for the Repression of Illicit Trafficking in Narcotics), have been set up in Cote d'Ivoire, Mali, Senegal and Togo.

At the notable exception of Benin, Ghana, Niger and Nigeria, most of the national forensic laboratories are barely functioning, due to a lack of equipment, financial resources and trained personnel.

Concerning the prevention of drug abuse, and the treatment and rehabilitation of drug addicts, the leading role of NGOs has been recognized. These NGOs are either solely dedicated to drug demand reduction or involved in activities pertaining to the general welfare of targeted groups (e.g. youth and women). National treatment structures exist in a very limited number of countries (Benin, Cape Verde, Nigeria), and in most cases treatment is done in psychiatric wards of hospitals in capital cities or in private clinics for a privileged clientele.

Initiatives are numerous in the field of drug demand reduction, as communities are setting up facilities, and innovative approaches are being explored (traditional medicine in Senegal for the treatment of drug abuse, *"koteba"* or traditional theater in Mali also used for treatment). All these initiatives aim at finding more culturally-suited approaches to deal with the issue of drug abuse which now ranks high among other social ills affecting the West African countries.

## 4.2 Regional Level

**Legal Framework**
With the assistance of the United Nations Center for International Crime Prevention (CICP) based in Vienna, Austria, the Secretariat of ECOWAS has formulated two conventions. The first one is the 1992 Convention on Mutual Assistance in Criminal Matters which has been signed/ratified by seven ECOWAS member states (Burkina Faso, Gambia, Ghana, Guinea, Mali, Nigeria and Senegal) which is the minimum number needed in order to enforce the convention for all countries of the sub-region. The convention provides mutual legal assistance to combat offences of all kinds and particularly serious crimes. The second convention formulated by ECOWAS is the 1994 Convention on Extradition which has been ratified by six Member States (Burkina Faso, Ghana, Guinea, Mali, Senegal and Sierra Leone). This convention will be enforced once ratified by at least nine Member States. It endows national courts of law with an effective instrument for the arrest, judgement and enforcement of penalties against offenders fleeing the territory of one Member State to seek shelter in the territory of another.

**Institutional Framework and Coordination Structures**
With the assistance of UNDCP, the Secretariat of ECOWAS has set up a Drug Control Unit in 1996. This Unit has a coordination function on drug related matters at the regional level and serves as a center of information and reference in drug control in West Africa. Although poorly staffed and functioning with limited financial resources, it has so far succeeded in advocating for drug control at the highest possible political level.

**Regional Drug Control Plan**
UNDCP, within the framework of its regional project RAF/893, has provided assistance to the Secretariat of ECOWAS for the formulation of a regional drug control plan of action. The "Regional Plan of Action Against the Abuse and Illicit Traffic of Drugs and Psychotropic Substances in West Africa", adopted by the ECOWAS Heads of State and Government in August 1997, defines the approach to drug control at national and regional levels in the sub-region.

This follows a similar initiative of the Organization of African Unity (OAU) whose Heads of State and Government have adopted a Plan of Action for the continent during their 32nd Session in July 1996. The role that regional communities such as ECOWAS and SADC have to play in drug control is highlighted in the OAU Plan of Action, which calls for the formulation of regional drug control plans.

In September 1998, the 2nd meeting of Coordinators of Interministerial Drug Control Committees (IMDCC) was held in Banjul, The Gambia. An in-depth assessment of the ECOWAS Plan of Action, and its degree of implementation one year after its adoption resulted in a partial revision to include recommendations of the UNGASS on demand reduction, abuse of amphetamine type stimulants, money laundering, eradication of cannabis and other substances, and alternative development. A Priority Programme for 1999 to 2002 was also formulated on the basis of the Plan of Action. The ECOWAS Priority Programme can be seen as a follow-up to activities undertaken under Project RAF/893 as well as a means to implement the ECOWAS Plan of Action. Thus it mainly foresees the consolidation of regional and national control structures (Interministerial Drug Control Committees, ECOWAS Drug Control Coordination Unit, annual meetings of national coordinators of Interministerial Drug Control Committees, biennial meetings of ministers responsible for coordination of drug control), but also the monitoring, preparation and execution of National Action Plans, the rehabilitation of national laboratories for the analysis of seized substances, the conduct of epidemiological drug surveys in each Member State and the development of human resources.

**Regional Capacities at Operational Level**
Within the framework of implementation of the drug control policy defined by the Heads of States of the

sixteen ECOWAS countries, a regional fund for financing drug control activities in West Africa has been set up by the ECOWAS Secretariat. The fund, named the ECODRUG Fund, has an initial endowment from ECOWAS amounting to US$ 150,000. The objectives of the Fund are 1) to provide financial assistance to Inter-ministerial Drug Control Committees for the implementation of activities within areas such as national and regional drug demand reduction, and training of trainers and technicians; and 2) to finance activities under the ECOWAS Plan of Action for Drug Control. Each ECOWAS member state has the obligation to pay on an annual basis a fixed amount to the ECODRUG Fund equivalent to 2% of its contribution to the ECOWAS general operating budget. Furthermore, the Fund is expected to receive resources through grants and gifts, yields from investments as well as other financial sources approved by the ECOWAS Council of Ministers.

*21st Summit of ECOWAS, October 1998*

*We are ... preoccupied by the rapid increase in abuse and traffic in illicit drugs; We recall ... the ECOWAS Political Declaration and Plan of Action adopted in Praia 1997; We declare our intention to effectively combat and eradicate the abuse of drugs in West Africa.*

*ECOWAS Heads of State and Government*

## 5. Drug Control Priorities, Objectives and Strategies in West Africa

In West Africa, the focus has been on consolidating drug control institutions and frameworks which are now in place in all sixteen countries. At the national level, this has been done through the strengthening of the capacities of Interministerial Drug Control Committees and government agencies responsible for drug control. Support has also been provided to national initiatives to update existing drug control legislation in line with the three international drug control conventions, to formulate drug control plans and to promote drug abuse prevention activities. At the regional level, focus has been on advocacy work and assistance to the efforts undertaken by the Secretariat of ECOWAS to raise the issue of drug control at the highest political level.

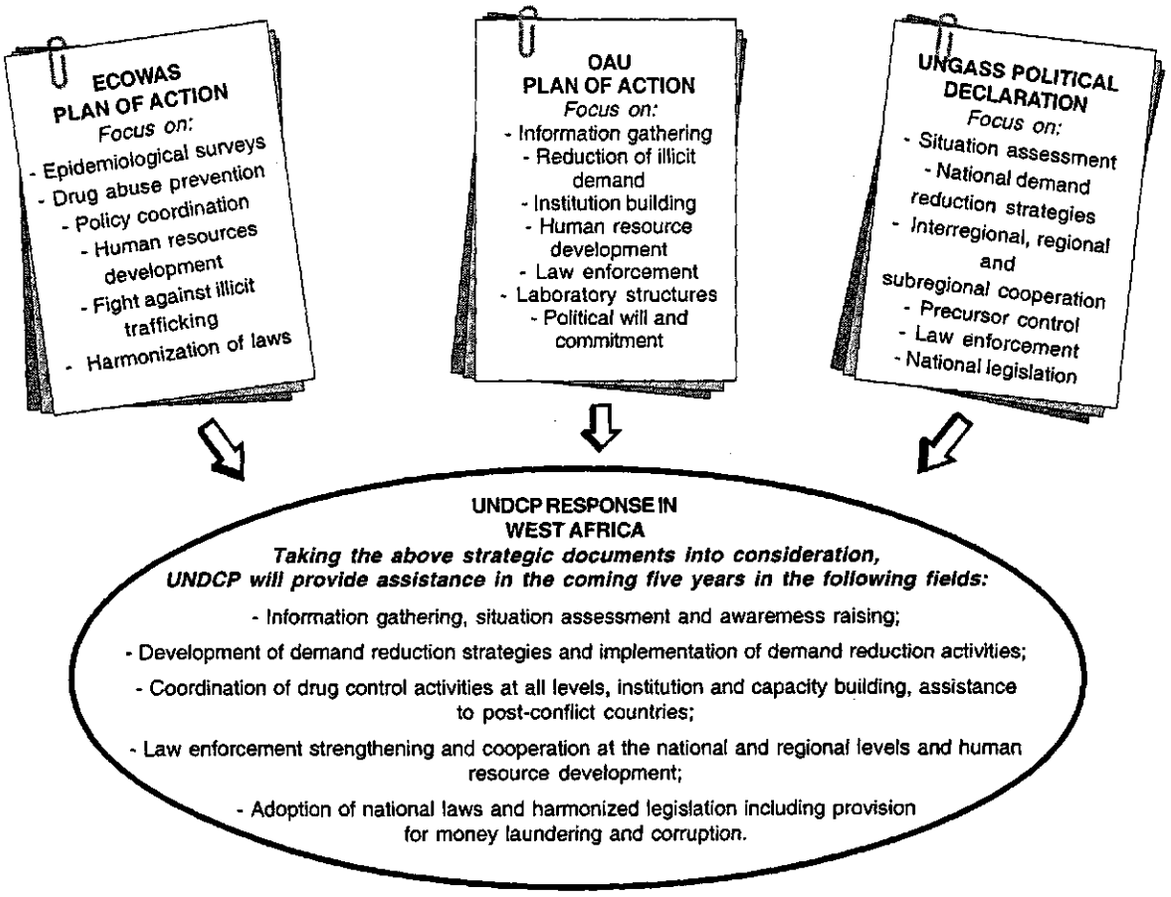
However, a lot still needs to be done. At the national level, there is an acute need for equipment and operational means in all areas of drug control, including institution building, demand reduction and law enforcement. There is also a need for technical knowledge and additional training in these areas. Shortcomings in the areas of data collection, information sharing, awareness raising, coordination of drug control activities and formulation/implementation of national strategies need to be addressed. In the case of post-conflict countries, most of the results achieved through the establishment of structures, training of human resources and the provision of assistance have been lost during the conflicts. A rebuilding work is therefore also necessary in the area of drug control. At the regional level, the Drug Control Unit of ECOWAS should be strengthened in order to fully perform its coordination tasks and to ensure through an active advocacy work that drug control is included in the political and social/economic development agenda of West African countries.

The new Assistance Programme for Drug Control in West Africa is designed to address the above mentioned shortcomings. In so doing, the Assistance Programme will aim at strengthening the already existing structures and reinforce their human, technical and financial means for effective drug control.

### 5.1 Drug Control Priorities in West Africa

On the basis of the UNGASS Political Declaration, ECOWAS Plan of Action and the OAU Plan of Action as well as the above drug control situation analysis and description of the national and regional institutional framework and capacities, future drug control priorities and activities for West Africa have been formulated as follows:

*Figure 7. Relationship between political drug control instruments and the Assistance Programme*




These drug control priorities will target all sixteen countries of the sub-region, but the extent of the assistance will differ according to :

i. The existing drug control scenario in the country, including the magnitude of the drug problem, and the vulnerability of the country to illicit drug abuse and the trafficking;

ii. The evolving drug control scenario in the country;

iii. The drug control capacity and commitment of the Governments as well as requests for assistance addressed to UNDCP;

iv. The absorption capacity of the country;

v. Situations in post-conflict countries, including the need to integrate drug control actions in different sectors such as health, governance and education into larger UN reconstruction programmes;

vi. Level of assistance already provided to the country by other entities such as bilateral and multilateral organizations for the implementation of drug control activities.

## 5.2 Drug Control Objectives and Strategy in West Africa

### Objectives of the Assistance Programme

The drug control and immediate programme objectives for West Africa are the following:

**Drug Control Objective**

To effectively curtail the growing drug cultivation, production, abuse, traffic as well as drug related crimes in West Africa through support to national and regional drug control entities.

**Immediate Programme Objective**

All countries in West Africa have strengthened their institutional capacities and selected countries have created national capacities to develop and implement demand reduction activities, law enforcement and control measures and updated drug control legislation.

The Assistance Programme is composed of the following six components with a distinct objective targeting each of the specific drug control areas:

Component 1) Information, research and networking;
Component 2) Policy and institutional development;
Component 3) Law and legislation development;
Component 4) Drug abuse prevention, treatment and rehabilitation;
Component 5) National law enforcement and control capacities;
Component 6) Regional law enforcement and control measures.

The implementation of each of the six components, through one or several projects, will lead to the achievement of the immediate programme objective by the end of 2004. A detailed presentation of each of the programme components is made in chapter 5.5.

In order to achieve the above defined immediate programme objective by 2004, UNDCP will considerably increase as of 2000 its assistance to ECOWAS and the sixteen West African countries as well as support their efforts to deal with all issues relating to drug control, particularly information gathering, capacity building, illicit drug trafficking and abuse. Attention will also be given to drug related crimes. UNDCP will focus on those countries which are most affected by the drug problem or are in a post-conflict situation and strengthen sub-regional cooperation in law enforcement, prevention and coordination through the ECOWAS Drug Control Unit. Efforts will be done to increase the involvement of civil society in drug control through awareness raising, advisory assistance, equipment, training and financial resources.

### Strategy of the Assistance Programme

The strategy of the Assistance Programme includes a strong regional focus, a balanced approach to drug control, and a permanent search for increased cooperation.

#### *i. Strong regional focus*

As countries are preparing national drug control strategies and action plans targeting specific areas for drug control, the Assistance Programme aims at assisting in the improvement of drug control issues that these couhtries have identified as being common to all of them, although with differences in scope and extent. Most of the projects proposed in the Assistance Programme are therefore regional in their

approach, but their activities will, in several cases, be tailored to the specific needs of each country and be based on a thorough assessment of prevailing situations.

It is expected that through this approach, the sixteen countries will:

- have a common understanding and approach to shared drug problems;
- communicate more frequently and exchange information and experience;
- increase cooperation, particularly in the field of law enforcement.

In four cases, a national approach is proposed to address very specific drug issues as the ones faced by the three post-conflict countries (Guinea Bissau, Liberia and Sierra Leone). In addition, a national project will mainly deal with cannabis cultivation in Senegal, a phenomenon which has reached unprecedented proportions in that country and for which UNDCP will propose a pilot assistance. In the case of Nigeria, the Assistance Programme will complement the National Drug Control Programme for Nigeria currently being prepared by the UNDCP Country Office in Nigeria. That country will therefore only be covered by the regional law enforcement project in the Assistance Programme.

***ii) Balanced approach to drug control***

The Assistance Programme focuses on demand reduction and law enforcement, as a way to materialize the call of UNGASS to promote a balanced approach to the drug issue. Too often in West Africa, priority has been given to law enforcement activities at the expense of activities within the area of demand reduction. This trend has been imputable to internal and external factors. Internal factors relate to the fact that law enforcement activities undertaken by countries very often lead to seizures and arrests and thereby give a tangible demonstration of the commitment of national authorities to drug control. Demand reduction activities are often more complex and time-consuming to implement and do rarely result in immediate and measurable success. External factors result from the tendency of the international donor community to divert its assistance towards law enforcement actions as a means to significantly reduce the flow of illicit drugs transiting West Africa to western countries. It is proposed in the Assistance Programme to encourage an approach targeting besides law enforcement other interlinked dimensions of drug control.

> *General Assembly Special Session, June 1998*
>
> *"We the Member States of the United Nations:*
>
> ***Recognize that action against the world drug problem is a common and shared responsibility requiring an integrated and balanced approach in full conformity with the purposes and principles of the Charter of the United Nations and International law...***
>
> *Extract from the Political Declaration*

***iii) Search for increased cooperation***

An important and crucial cornerstone of the Assistance Programme is the search for strengthened cooperation at three levels: between the sixteen West African countries, between UNDCP and ECOWAS, and finally between bilateral and multilateral organizations providing assistance to the sixteen countries of West Africa.

As indicated above, the implementation of regional projects targeting all sixteen countries will improve the cooperation between them. Through the implementation of previous regional projects, ties were established between drug control coordination structures, and most importantly between their personnel. UNDCP will continue to encourage and facilitate such direct contacts.

Solid relationships have now been established between UNDCP and the ECOWAS Secretariat, and

specifically with its Drug Control Unit. This approach will be pursued and intensified during the next five years, in order to ensure the involvement of ECOWAS during the implementation of the Assistance Programme.

Cooperation between bilateral and multilateral entities providing assistance to West African countries will also be actively sought, not only to avoid a duplication of assistance to the same drug control areas or to a limited number of beneficiary countries, but also to promote the exchange of information between donors.

### 5.3 Implementation modalities and inputs

Most of the projects composing the six components of the Assistance Programme will be implemented by UNDCP. However, in the case of ECOWAS and some countries, the drug control coordination structures in place will have a leading role in project implementation. UNDCP will also increase the involvement of civil society organizations in project implementation.

To ensure the achievement of the immediate objective of the Assistance Programme, UNDCP will provide advisory assistance, capacity building, provision of equipment, training and financial resources, in addition to advocacy for an increased awareness of the drug issue. By adopting a mostly regional approach, UNDCP will work towards economies of scale and ensure that the costs of the projects in relation to their administration are kept at an absolute minimum.

### 5.4 Expected end of programme situation

By the end of the Assistance Programme in 2004, it is expected that the institutional capacities will have been strengthened for all countries in West Africa. In addition, selected countries will have adopted and implemented national legislation conforming to international drug control treaties, and improved their law enforcement measures through capacity building at the national and regional levels. It is also expected that national capacities, including that of civil society organizations will have been reinforced in order to develop and implement comprehensive activities in the area of demand reduction.

### 5.5 Programme Components

The individual projects contained in the six programme components are complementary and interrelated. They have been designed to be mutually supportive and to have a combined impact on the overall drug control problem in the sub-region. All projects are, however, autonomous as far as their implementation is concerned. Each programme component has a specific objective, and aims at addressing targeted drug control issues.

These Programme components have been designed to first tackle institutional shortcomings, then operational ones: the first three components (information, research and networking, policy and institutional development, law and legislation development) will therefore constitute the building blocks of the Programme on the basis of which operational activities will be developed in drug abuse prevention, treatment and rehabilitation (component 4), national law enforcement and control capacities (componant 5), and regional law enforcement and control measures (component 6). The activities to be developed under each Programme component aim at reinforcing previous assistance provided by UNDCP, taking into account lessons learnt from past experiences.

| PROGRAMME COMPONENT 1: INFORMATION, RESEARCH AND NETWORKING | |
|---|---|
| **Objective:** | To collect and share data and information on illicit drug trafficking trends and drug abuse problems and patterns. |
| **Issues to be addressed:** | Insufficient knowledge on drug trafficking and abuse, lack of data collection and information gathering mechanisms and limited awareness of the drug issue. |
| **UNDCP response:** | Rapid situation assessments of the drug abuse situation, publishing and dissemination of gathered information, advocacy and awareness raising activities. |
| **Planned activities:** | **4 Regional projects totalling US$ 1,858,100** |
| Project RAF/826: | "Development of assistance programmes in West Africa and Central Africa" |
| Project RAF/C86: | "Rapid assessment of the drug abuse situation for the West African Sub-region" |
| Project RAF/XX1: assessment | "Evaluation of the drug abuse situation in West Africa through rapid studies" |
| Project RAF/XX2: | "Assistance to the mainstreaming of the drug issue in West Africa" |

**Justification:**

In addition to seizure statistics, other drug data are needed for a comprehensive assessment of drug trends in Africa. Therefore, in the Action Plan for the implementation of the 1998 UNGASS Declaration on Demand Reduction the following is stated:

*"Demand reduction programmes should be based on a regular assessment of the nature and magnitude of drug use and abuse and drug-related trends. Assessments should be undertaken by States in a comprehensive, systematic and periodic manner, drawing on results of relevant studies, allowing for geographical considerations and using similar definitions, indicators and procedures to assess the drug situation..."*

Sound programming has therefore to be based on reliable data. However, for West Africa the quantitative and qualitative information and knowledge of the drug problem in relation to illicit trafficking and abuse are still limited. Thus, in order to assist in broadening the knowledge base on the extent and patterns of drug abuse, UNDCP started in April 1999, through a regional project, RAF/C86, Rapid Situation Assessments (RSA) of drug abuse trends and patterns in four West African countries (Cote d'Ivoire, Ghana, Nigeria and Senegal).

The conduct of similar studies is planned for other countries in the Sub-region (Benin, Burkina Faso, Cape Verde, The Gambia, Guinea, Mali, Mauritania, Niger and Togo) in the framework of a regional approach (Project RAF/XX1) and possibly in cooperation with the EU-PAAD. On the basis of the conclusions drawn from these studies, targeted national demand reduction strategies will be developed by the governments with technical and financial assistance from UNDCP.

It is the intention of UNDCP to ensure that through Project RAF/XX2, the main results and conclusions of the studies are made widely available to decision makers including parliamentarians, traditional rulers and religious leaders, and the general public through sensitisation and advocacy activities. Information on the drug issue will also be made available to the public through the creation of a resource centre within the Regional Office and the publication of a newsletter. The media will also have a more visible role in these efforts to increase the awareness towards the drug issue.

| PROGRAMME COMPONENT 2: POLICY AND INSTITUTIONAL DEVELOPMENT | |
|---|---|
| **Objective:** | To strengthen national and regional drug control capacities and coordination mechanisms |
| **Issues to be addressed:** | Limited implementation to date of the ECOWAS Drug Control Plan of Action, need to strengthen national and regional drug control entities and to rebuild drug control structures and capacities in post-conflict countries. |
| **UNDCP response:**<br><br>institution | Assistance to ECOWAS Secretariat, continued technical support and equipment to Inter-ministerial Drug Control Committees, capacity and building or strengthening, assistance to post-conflict countries. |
| **Planned activities:** | **2 Régional and 4 National projects totalling US$ 3,300.000** |
| Project SEN/XX3: | "Assistance to the fight against drugs in Senegal" |
| Project RAF/XX4: | "Assistance to the implementation of the ECOWAS Drug Control Plan of Action" |
| Project RAF/XX5: | "Assistance to national institutions for drug control in West Africa" |
| Project SRL/XX6: | "Assistance to drug control in post-conflict countries: Sierra Leone" |
| Project LIB/XX7: | "Assistance to drug control in post-conflict countries: Liberia" |
| Project GBS/XX8: | "Assistance to drug control in post-conflict countries: Guinea Bissau" |

**Justification:**

Through UNDCP assistance, national and regional drug control structures have been developed or strengthened in all countries in West Africa. However, work needs to be done in order to ensure further development and sustainability. Institution building will, therefore, continue to be one of the cornerstones of UNDCP's Assistance Programme although on a selective basis. Support will be provided to the ECOWAS Drug Control Unit for the implementation of the Regional Plan of Action and the functioning of the ECODRUG Fund.

UNDCP will assist countries in strengthening their Inter-ministerial Drug Control Committees to enable them to undertake their coordination function at the national level. In addition, assistance will be provided to countries for the formulation of national drug control strategies and for the implementation action plans resulting from these strategies. Financial support will therefore be provided to specific components within these plans targeting capacity building, including human resources development for drug control.

High emphasis is put on assistance to post-conflict countries. Guinea Bissau, Liberia and Sierra Leone are in the process of rebuilding their social and economic fabrics shattered by civil wars. The abuse of drugs in these countries by combatants, including child soldiers, has been widely stressed to explain atrocities committed during the conflicts. In Sierra Leone, UNDCP will assist the country in re-building its drug control capacities. In Guinea Bissau, a project with focus on drug abuse and illicit trafficking will be launched. In Liberia, similar activities are to be developed once the political situation in the country is considered stable enough. In these countries, UNDCP will aim at integrating drug control actions in different sectors such as education, governance and health of larger UN system reconstruction programmes. This assistance will be based on already existing or planned activities by agencies such as UNICEF, UNDP, UNFPA and other partners involved in demobilization, reconstruction and rehabilitation. In addition to post-conflict countries, UNDCP will through its future technical cooperation programme increase its focus on countries which have so far received limited bi- or multilateral assistance for drug control or which are confronted to specific problems (e.g.: massive influx of refugees in Guinea). For Senegal, a national pilot project will be developed with the purpose of dealing with the issue of cannabis cultivation in the Casamance region.

| PROGRAMME COMPONENT 3 : LAW AND LEGISLATION DEVELOPMENT | |
|---|---|
| **Objective:** | To assist countries in drafting, adopting and implementing drug control legislation in line with the three UN conventions and enhance the judicial cooperation through regional conventions. |
| **Issues to be addressed:** | Need to update drug control legislation, including provision for money laundering. |
| **UNDCP response:** | Advisory assistance, training of magistrates, establishment of legislative and administrative processes and procedures |
| **Planned activities:** | **1 Regional project totalling US$ 400.000** |
| Project RAF/XX9: | "Legal advisory assistance for West Africa" |

**Justification:**

In the field of law and legislation development, UNDCP has provided assistance by formulating a model legislation with experts from the sixteen West African countries, in order to ensure that their legislation is in line with the three international UN drug control conventions as well as to increase inter-country judicial cooperation. However, several countries still have to update their legislation and many others still need advisory assistance in the drafting of a drug control legislation, the training of magistrates and the proper implementation of the legislation. Adoption and implementation of national legislation conforming to international drug control treaties, resulting in effective interception and prosecution of traffickers is one of the objectives of this component. Concerning the issue of licit drugs under international control, some countries lack legislation while others have problems in implementing existing laws. It is the objective of UNDCP to provide support to these countries requesting assistance in the field of legislation or administrative procedures for the proper monitoring of substances under international control.

The increase in drug related criminality, including money laundering, calls for additional legislation and control measures. During their 22nd session held in December 1999, the Heads of State and Government of ECOWAS adopted a protocol related to the creation of an African Inter-governmental Action Task Force against money laundering. It is proposed to provide advisory assistance for the preparatory work required to follow-up on the decision of the ECOWAS Heads of State and Government.

The activities which will be implemented under this component will complement those of the two global UNDCP programmes, namely GLO/900 "Legal Advisory Programme" and GLO/B75 "Global Programme against Money Laundering".

| PROGRAMME COMPONENT 4: DRUG ABUSE PREVENTION, TREATMENT AND REHABILITATION | |
|---|---|
| **Objective:** | To promote drug demand reduction through the provision of financial and technical assistance to governmental and civil society organizations' (CSOs) initiatives in drug abuse prevention, treatment and rehabilitation. |
| **Issues to be addressed:** | Limited capacity and involvement of governmental and CSOs in prevention, treatment and rehabilitation activities. |
| **UNDCP response:** | Capacity building, financial and technical support to CSOs and governmental entities, inclusion of drug prevention activities in other social issues (education, fight against HIV/AIDS...). |
| **Planned activities:** | **3 Regional projects totalling US$ 2,100,000** |
| Project RAF/X10: | "Strengthening of demand reduction awareness among risk groups in West Africa" |
| Project RAF/X11: reduction | "Technical and financial assistance for the implementation of demand activities in West Africa" |
| Project RAF/X12: | "Drug abuse and HIV/AIDS prevention in West Africa" |

**Justification:**

The limited available data indicate an increase in most countries in drug abuse, particularly for cannabis, psychotropic substances, cocaine and heroin. Yet, national efforts in the area of demand reduction remain inadequate and poorly funded. In some countries, drug abuse prevention activities are mainly undertaken at the occasion of the celebration of the International Day Against Illicit Drug Abuse and Trafficking.

To reverse this trend, especially in those countries most affected by drug abuse (Cote d'Ivoire, Ghana, Senegal) as well as countries in a post-conflict situation (Guinea-Bissau, Liberia, Sierra Leone), UNDCP will increase the number and scope of its assistance to demand reduction activities. This will be done on the basis of information collected during Rapid Assessments Studies, and after the strengthening of National capacities for drug demand reduction.

This assistance is to provide support to Governments in the sub-region for a timely implementation of one of the recommendations of UNGASS requesting the achievement of significant and measurable results in the field of demand reduction before the year 2008. The role of CSOs in the area of demand reduction has been acknowledged as crucial, and their efforts can boost those of Governments in fulfilling that recommendation. UNDCP will therefore continue its assistance to them to increase their involvement as well as enhance their capacities in demand reduction. Financial and advisory assistance will be provided for the implementation of demand reduction components of national drug control action plans developed by the countries with the assistance of UNDCP and the EU Project-AADP. It is also planned to incorporate demand reduction activities in other types of activities such as gender and development, education to family life, and HIV/AIDS awareness activities in collaboration with other UN agencies.

| PROGRAMME COMPONENT 5: NATIONAL LAW ENFORCEMENT AND CONTROL CAPACITIES | |
|---|---|
| **Objective:** | To achieve a higher interception of illicit drugs trafficked into and through the Sub-region and licit drugs diverted to illicit channels by strengthening national law enforcement entities and control measures. |
| **Issues to be addressed:** | Limited law enforcement capacity and means at national level for the interception of illicit drugs, particularly at entry points; Inadequate control and monitoring of the supply and distribution of licit drugs under international control |
| **UNDCP response:** | Training, advisory assistance, training of sniffer dogs and handlers, provision of equipment to law enforcement entities and pharmacy control boards. |
| **Planned activities:** | **1 Regional project totalling US$ 1,500,000** |
| Project RAF/X13: | "Support for control measures of illicit drugs and licit drugs under international control in West Africa" |

**Justification:**

Illicit drugs continue to be trafficked into and through countries in West Africa and the methods used by trafficking networks are increasingly sophisticated. Therefore, law anforcement has always constituted an important element of UNDCP's assistance in the Sub-region due to the fact that efficient and strong law enforcement structures are crucial in order to minimize the availability of drugs, and the expansion of local consumer markets. The situation analysis shows that land borders, sea and airports of West Africa are increasingly targeted by traffickers to smuggle illicit drugs within the Sub-region or onwards to Europe and North America.

UNDCP, therefore, intends to implement a regional project to benefit the countries of the sub-region, with the goal of strengthening the interception capacities of police, Customs and Gendarmerie drug squads, particularly at major points of entry. This will be achieved through provision of equipment as well as through comprehensive training of law enforcement personnel, including training of trainers and training of sniffer dogs and handlers. Where required, assistance will be provided for the establishment of database and information systems on drug related issues.

Except for a workshop in December 1998 included in a now completed Regional Project RAF/893, and the INCB training seminars for National drug control administrators, no other assistance addressing licit drug control has been provided to the countries of West Africa by UNDCP. The participants to the above mentioned workshop have identified several shortcomings concerning existing laws, drug interception and distribution channels, internal cooperation among agencies involved in licit drug control and knowledge of how to make entries in UNDCP and INCB's forms. They have also made several recommendations addressed to their governments, INCB and WHO. It is proposed to follow-up on these recommendations by providing technical and financial assistance to those countries needing such assistance. There is also a need to sensitize for a better control of precursors.

| PROGRAMME COMPONENT 6 :REGIONAL LAW ENFORCEMENT AND CONTROL MEASURES | |
|---|---|
| **Objective:** | To reduce illicit drug trafficking in West Africa through the strengthening of cooperation for law enforcement activities at the regional level |
| **Issues to be addressed:** | Limited cooperation at operational level between law enforcement entities, inadequate functioning of forensic laboratories. |
| **UNDCP response:** | Technical and financial assistance, equipment and training to forensic laboratories, exchange of information. |
| **Planned activities:** | **1 Regional project totalling US$ 1,000,000** |
| Project RAF/X14: | "Strengthening of regional capacities for drug trafficking interdiction in West Africa" |

**Justification:**

Inadequate inter-agency collaboration between law enforcement agencies (Police, Customs, Gendarmerie...) both at the national and sub-regional level, insufficiently equipped forensic laboratories as well as a lack of human, technical and financial resources constitute hampering factors for strong and efficient law enforcement measures in the sub-region.

Based on an assessment undertaken in collaboration with the World Customs Organization (WCO) and Interpol, UNDCP has identified the need for the strengthening of the cooperation between law enforcement entities at the regional level. To this end and in cooperation with WCO and its Regional Intelligence Liaison Office (RILO) in West Africa, UNDCP will provide assistance to significantly improve existing cooperation and exchange of intelligence information mechanisms between Customs Offices.

Similarly, drug focal points within Interpol Central National Offices will be strengthened through the provision of equipment and regional training. In some cases, the mission of these focal points could expand to also serve as national drug related criminal intelligence services. The aim through these activities will be to improve the coordination of operational activities both within a country, and between countries, particularly those sharing common borders.

As regards forensic laboratories, assistance at the national level has already been provided by UNDCP to all sixteen countries in West Africa. However, most of the countries do still have unfulfilled needs in terms of equipment and training. Following specific in-country assessments, it is planned under this component to provide equipment, conduct necessary training including the maintenance of equipment and ensure participation in the UNDCP Quality Control Programme.

## 6. Coordination Arrangements

During the preparation of the Assistance Programme, UNDCP has held a series of consultations with ECOWAS, the sixteen countries and the regional project AADP funded by the EU with the objective to ensure that activities contained in the Assistance Programme will not duplicate other on-going or planned national or regional initiatives for the next five years. During the implementation of the Assistance Programme, the following coordination mechanisms will be followed:

### Coordination at Country Level

For each beneficiary country, at least two national coordination meetings will be organized by UNDCP during the implementation of the Assistance Programme. These meetings, for which UNDCP will take the lead, will allow national authorities and donors assisting the country to review progress realized for effective drug control, new or emerging trends and solutions proposed by the Government to tackle them, assistance received from various sources, and assistance planned for the next one to two years. Exchange of information and the need for updated information on national efforts for drug control, and external assistance received and planned will guide these meetings. The meetings will target as a first step those countries which have adopted drug control strategies and related action plans, and assist them in raising funds for the implementation of planned activities.

Mini-Dublin Group meetings can offer an additional channel for information sharing at the country level. UNDCP is therefore advocating for the establishment of such groups in other countries in West Africa, besides Nigeria and Cote d'Ivoire. However, because meetings of Mini-Dublin Groups do not usually include the Government, they will not be used as a parallel coordination mechanism for the Assistance Programme, but rather as a venue for exchanging views between bi- and multilateral donors on the drug situation, and in some cases for adopting a common position on specific drug control issues at the country level.

### Coordination at Regional Level

During the past six years and in collaboration with ECOWAS, UNDCP has organized on a regular basis meetings for Coordinators of the Inter-ministerial Drug Control Committees as well as meetings for Ministers responsible for drug control matters. Both types of meetings are highly demanded by the countries and ECOWAS, and will therefore continue to be organized during the five-year implementation period of the Assistance Programme. One session of each meeting will specifically be dedicated to review progress realized in promoting sub-regional cooperation which is one of the goals of the Assistance Programme as well as the progress in the implementation of the Assistance Programme. These meetings will also serve their usual objective of allowing high governmental and ECOWAS drug control officials to discuss joint issues, exchange experience and get new or updated information on drug control.

The effective implementation of these two coordination mechanisms will allow UNDCP to assess the continuous relevance and adequacy of its assistance in view of the fast changing drug control situation.

## 7. Monitoring and Review Mechanisms

As already elaborated upon earlier in the document, the implementation and achievement of the immediate objective of the Assistance Programme rests on a number of important assumptions.

Monitoring of the Assistance Programme and project implementation will constitute an important component of the work of the Regional Office. Previous experience in the sub-region has shown that external factors beyond the control of UNDCP as well as the executing agencies can cause considerable delay or disturbances in programme and project implementation. Such factors include political instability, socio-economic factors, government and counterpart commitment and availability of funds.

A number of activities are planned in post-conflict countries (Guinea-Bissau, Liberia and Sierra Leone), where the political situation is still unstable. Thus, the possibility of new conflicts having an effect on a successful and timely project implementation as well as the above mentioned factors have to be taken into account in the timely start and completion of individual projects as well as the Assistance Programme as a whole.

Monitoring and evaluation components will be incorporated in all projects and the Regional Office for West and Central Africa will have the overall responsibility for ensuring that the activities are undertaken on a regular basis and as planned in the respective project documents. Annual Project Performance Reports as well as Semi-Annual Project Progress Reports will be prepared in order to provide information on status and progress of the respective projects. Furthermore, the mechanism within the Regional Office which assesses on an annual basis the status of each project, including review and if deemed necessary revision of project budget and workplan, will be strengthened. To ensure that corrective actions are taken and project objectives are achieved within the set time-frame. The Assistance Programme will be reviewed annually in relation with the meetings of the Coordinators of the Interministerial Drug Control Committees.

A successful achievement of the drug control and immediate objectives of the Assistance Programme rests on a number of important assumptions and notably:

- That the political situation in the sub-region remains stable and that no new conflict erupts during the duration of the Assistance Programme;
- That the economic situation in West Africa improves significantly, so that the countries will be in a position and willing to channel more resources towards national and regional drug control activities, and that the economic prospects of the population would be diversified enough to make drug cultivation, production and trafficking a less desirable economic option. Broader initiatives to fight poverty, such as the newly launched Poverty Reduction and Growth Facility of the International Monetary Fund, could significantly contribute to brighten the economic prospects of African countries and indirectly give a new impetus to the fight against drug abuse and trafficking;
- That the commitment displayed at the level of the ECOWAS Secretariat remains at the same level;
- That the governments in the region maintain or increase their commitment to drug control.

UNDCP will devote all the required efforts, including advocacy, to contribute to the materialization of these assumptions which go beyond its control, for drug-free societies in West Africa.

**8. Financial Requirements, 2000 - 2004**

Table 5 below gives a notional overview of financial requirements for the implementation of project activities foreseen in the Assistance Programme. Current budget figures for individual projects may, however, need to be amended as these projects are formulated, costed and implemented.

*Table 5. Overview of funding requirements for project contained in the Assistance Programme*

| PROJECT | National Budget | Funding Requirements |
|---|---|---|
| **RAF/826** - Development of assistance programmes and Projects in West Africa (on-going) | US$ 263,100 | US$ 0 |
| **RAF/C86** - Rapid assessment of the drug abuse situation for the West Africa Sub-region (on-going) | US$ 395,000 | US$ 0 |
| ***RAF/XX1*** - Evaluation of the drug abuse situation in West Africa through rapid assessment studies | US$ 700,000 | US$ 700,000 |
| **RAF/XX2** - Assistance to the mainstreaming of the drug issue in West Africa | US$ 500,000 | US$ 500,000 |
| **SEN/XX3** - Assistance to the fight against drugs in Senegal | US$ 400,000 | US$ 400,000 |
| **RAF/XX4** - Assistance to the implementation of the ECOWAS Drug Control Plan of Action | US$ 600,000 | US$ 600,000 |
| **RAF/XX5** - Assistance to National Institutions for Drug Control in West Africa | US$ 1,100,000 | US$ 1,100,000 |
| **SRL/XX6** - Assistance to drug control in post conflict countries: Sierra Leone | US$ 400,000 | US$ 400,000 |
| **LIB/XX7** - Assistance to drug control in post conflict countries: Liberia | US$ 400,000 | US$ 400,000 |
| **GBS/XX8** - Assistance to drug control in post conflict countries: Guinea Bissau | US$ 400,000 | US$ 400,000 |
| **RAF/XX9** - Legal advisory assistance for West Africa | US$ 400,000 | US$ 400,000 |
| **RAF/X10** - Strengthening of demand reduction awareness among risk groups in West Africa | US$ 400,000 | US$ 400,000 |
| **RAF/X11** - Technical and financial assistance for the implementation of demand reduction activities in West Africa | US$ 1,400,000 | US$ 1,400,000 |
| **RAF/X12** - Drug Abuse and HIV/AIDS prevention in West Africa | US$ 300,000 | US$ 300,000 |
| **RAF/X13** - Support to control measures of illicit drugs and licit drugs under international control in West Africa | US$ 1,500,000 | US$ 1,500,000 |
| **RAF/X14** - Strengthening of regional capacities for drug trafficking interdiction in West Africa | US$ 1,000,000 | US$ 1,000,000 |
| **TOTAL** | **US$ 10,158,100** | **US$ 9,500,000** |

*Annex 1: National Institutional and Legal Framework on Drug Control in West Africa*

| | Interministerial Committes | Permanent Secretariat | Action Plan / Strategy | Status of Harmonised Legislation |
|---|---|---|---|---|
| **BENIN**<br>Law No 420/70 of 3/09/1970 | Yes[1]<br>(1997) | Yes | No | Harmonized law adopted in 07/97 ( Law No. 97-0025 of 18/07/1997 related to the control of drugs and |
| **BURKINA FASO**<br>Ordonnance No 70--68 bis of 28/12/1970 | 1993<br>1996 | Yes | Yes[2]<br>(1994) | Harmonized law - Code des Drogues -No 017/99/AN adopted on 29/04/1999 |
| **CAPE VERDE**<br>Decree No 92, Control of Licit Trade in Narcotics drugs, Psychotropic Substance and Precursors, 1992<br>Decree No 78, Penal Law relating to Drugs, 1993 | 1995 (creat.)<br>1996 (operat.) | Yes | Yes | The edict of 20/7/1992 on substances is incomplete. The new legislation is being prepared |
| **COTE D'IVOIRE**<br>Law No 686 of 22/07/1998 | 1994<br>1999 | Yes | Yes[3] | The law of 22/07/98 is incomplete. The new legislation is being prepared. |
| **THE GAMBIA**<br>Drug Control Act, 1993 | 1995 | Yes | No | Drug Control Decree adopted in 1996 |
| **GHANA**<br>Narcotic Drugs (Control) Board Instrument, 1990<br>Narcotic Drugs (Control Enf. & Sanct., Law 1990 | 1990 | Yes | Yes (1994) | National Drug Control Enforcement and Sanction Law adopted in 1995 |
| **GUINEA**<br>Ordonnance No 027 portant sur les stupéfiantes et les psychotropes; 1989 | 1994 | Yes | No | Ordonnance No 027 of 1994 on Narcotics as yet incomplete. Preparation of a bill on the harmonized... |
| **GUINEA BISSAU** | 1994 | Yes | No | Adoption of laws on licit and illicit substances in 1995 |
| **LIBERIA** | 1995 | Yes | No | Harmonised law is in progress |
| **MALI**<br>Décret No 199 fixant la liste des stupéfiantes, 1993 | 1996 | Yes | No | Bill on a harmonized law has been finalized for consideration and adoption by the National Assembly |
| **MAURITANIA**<br>Décret No 90-170 portant création d'une commission nationale de lutte contre les stupéfiants et les substances psychotropes; 1990<br><br>Loi No 93-37 relative à la production, au trafic et à l'usage illicites des stupéfiants et des substances psychotropes; 1993 | 1990 | Yes | Yes<br>(1996) | Law 93 - 37 on supression of production, trafficking, and use of psychotropic substances adopted on 20/07/1993; Bill on the control of licit activities at final stage |

| | Interministerial Committees | Permanent Secretariat | Action Plan / Strategy | Status of Harmonised Legislation |
|---|---|---|---|---|
| NIGER<br>Ordonnance No 74-30 of 8/11/1974 | 1992 | Yes | Yes[3] | Bill on the harmonized law is at final stage of adoption by parliament |
| NIGERIA<br>- Decree 48 of 1989 establishing the National Drug Law Enforcement Agency (NDLEA)<br>- Counterfeit and Fake Drugs (Miscellaneous Provisions) Decrees, 1989 and 1999<br>- Decree 33 of 1990 amending Decree 48 of 1989 creating an additional offence for «bringing the name of Nigeria into disrepute»<br>- Decree 15 of 1993 establishing the National Agency for Food and Drug Administration and Control<br>- Drugs and Related Products (Registration etc.) Decree, 1993<br>- Decree 62 (Tribunals Decree) of 1999, amending Decrees 48, 15, 3 and others, attributes jurisdiction to try offences to Federal High Courts & State High Courts | 1994 | Yes | Yes<br>(May 1999) | Possesses an arsenal of judicial texts which have been complemented by Decree 3 on Money Laundering promulgated in 1995 |
| SENEGAL<br>Law No 87 -12 of 24/02/87 | 1965<br>1997 (CILAD) | Yes | Yes[4] | Law 97-18 of 01/12/97, cited as "Code Des Drogues" published in the Official Gazette of 20/12/97 (legislative aspect and regulatory aspect) |
| SIERRA LEONE | 1993<br>1995 | No | No | No Drug Control Legislation |
| TOGO<br>Law of 16/05/84<br>Décret No 96-040/PR portant création du comité national anti drogue, 1996 | 1996 | Yes | No | Harmonized law adopted by parliament on 24/02/98 as No. 98-08, promulgated by the President on 18/03/98 |

1 *A provisional committee exists fulfilling the tasks of the CILAD*
2 *Action Plan elaborated and approved by the government*
3 *Action Plan elaborated but still to be approved by the government*
4 *Action Plan approved by the government in 1998. Implementation has not started yet*

***Annex 2a:*** *Seizure Statistics for West Africa, 1990-1998: Heroin*

| **Heroine** *in Kg* | **1990** | **1991** | **1992** | **1993** | **1994** | **1995** | **1996** | **1997** | **1998** | **Total 90-98** |
|---|---|---|---|---|---|---|---|---|---|---|
| Benin | 6.00 | - | 1.97 | 0.77 | 2.00 | 5.16 | 30.35 | 142.82 | 3.19* | 192.26 |
| Burkina Faso | - | - | 0.05* | 0.05 | 9.00 | - | 1.14 | 222.00 | 0.240* | 232.48 |
| Cape Verde | - | - | - | - | - | - | 0.161* | 0.04* | 0.037* | 0.24 |
| Cote d'Ivoire | 5.51 | 6.45 | 6.872* | 2.91 | 0.05 | 5.42 | 4.53 | 0.54 | 0.06 | 32.34 |
| Gambia | - | - | - | - | - | - | 0.08 | 0.09 | 0.59 | 0.76 |
| Ghana | 26.00 | 12.6* | 3.86* | 3.54* | 0.92* | 5.59* | 3.85* | 1.70* | 18.02 | 76.08 |
| Guinea | - | 3.00 | - | - | - | - | - | - | - | 3.00 |
| Guinea Bissau | - | - | - | - | - | - | - | - | - | 0.00 |
| Liberia | - | - | - | - | - | - | - | - | 50.0* | 50.00 |
| Mali | - | - | - | - | 0.03 | 0.25 | 2.71 | - | 0.975* | 3.97 |
| Mauritania | - | - | - | 0.01 | 0.04 | - | 0.17 | - | - | 0.22 |
| Niger | 7.56 | 0.14 | - | - | 0.63 | 0.03 | 0.10 | 0.10 | 0.412* | 8.97 |
| Nigeria | 143.28 | 65.42 | 168.02 | 287.59 | 91.65 | 30.27 | 19.38 | 10.49 | 5.84 | 821.94 |
| Senegal | 24.84 | - | 1.25 | 9.99 | 77.53 | 15.09 | 7.83* | 0.00 | 0.23 | 136.76 |
| Sierra Leone | - | 0.68 | 0.00 | 0.10 | - | 0.00 | 0.00 | - | - | 0.79 |
| Togo | 8.16 | - | 9.28 | - | - | - | 0.03 | 81.60 | 27.37 | 126.44 |
| **Grand Total** | **221.35** | **88.29** | **191.30** | **304.96** | **181.85** | **61.81** | **70.33** | **459.38** | **106.96** | **1,686.25** |

*Source: UNDCP Seizure Database based on input from ARQ, Government, ICPO and INCB*

**Source: Interministerial Drug Control Committees of West Africa*

***Annex 2b.*** *Seizure statistics for West Africa, 1990-1998: Cocaine (Base and Salts)*

| **Cocaine** *base & salt/kg* | **1990** | **1991** | **1992** | **1993** | **1994** | **1995** | **1996** | **1997** | **1998** | **Total 90-98** |
|---|---|---|---|---|---|---|---|---|---|---|
| Bénin | 0.74 | - | 4.49 | 1.00 | 0.82 | 6.96 | 40.37 | 15.16 | 0.61 | 70.15 |
| Burkina Faso | - | - | - | 0.09 | 3.00 | - | 0.28* | 278 | 0.008* | 281.358 |
| Cape Verde | 540.00* | 40.00* | - | - | - | 89.46* | 2.78* | 80.92* | 2.108 | 775.268 |
| Cote d'Ivoire | 4.2 | 4.33 | 0.43 | 2.33 | 0.132* | 2.86 | 33.15 | 22.03 | 19.02 | 88.482 |
| Gambia | 0.46 | - | - | - | - | 0.07 | 0.88 | 0.06 | 0.07 | 1.54 |
| Ghana | 5.00 | 3.99* | 7.30* | 18.22* | 0.92* | 5.37* | 2.30* | 6.35* | 5.353* | 54.803 |
| Guinea | 3.00 | 0.52 | - | - | - | - | - | - | - | 3.52 |
| Guinea Bissau | - | - | - | - | - | - | - | - | - | 0 |
| Liberia | - | - | - | - | - | - | - | - | 65.0* | 65 |
| Mali | - | - | - | - | 0.02 | - | 4.3 | - | 0.077* | 4.397 |
| Mauritania | - | - | - | 0.02 | 0.04 | - | 0.33 | - | - | 0.39 |
| Niger | - | 0.21 | - | 0.004* | 0.002 | - | 0.02 | 28.87 | 0.233* | 29.339 |
| Nigeria | - | 555.35 | 416.95 | 1308.67 | 90.76 | 15.91 | 6.16 | 31.9 | 9.26 | 2434.96 |
| Senegal | 5.74 | 20.34 | 0.86 | 0.95 | 11.83 | 7.94* | 8.11* | 6.31* | 5.32 | 67.4 |
| Sierra Leone | - | 0.16 | 0.003 | 0.345 | - | 4.00 | 0.002 | - | - | 4.51 |
| Togo | 0.01 | - | 19.04 | - | - | - | 1.08 | 13.87 | 5.183* | 39.183 |
| **Grand Total** | **559.15** | **624.90** | **449.07** | **1,331.63** | **107.52** | **132.57** | **99.74** | **483.47** | **112.24** | **3,900.00** |

*Source: UNDCP Seizure Database on input from ARQ, Government, ICPO and INCB*

**Source: Interministerial Drug Control Committees of West Africa*

***Annex 2c.*** *Seizure Statistics for West Africa, 1990-1998: Cannabis Herb*

| **Cannabis Herb** /kg | **1990** | **1991** | **1992** | **1993** | **1994** | **1995** | **1996** | **1997** | **1998** | **Total 90-98** |
|---|---|---|---|---|---|---|---|---|---|---|
| Bénin | 6.61 | - | 64.84 | 107.00 | 230.51 | 42.70 | 312.83 | 26.86 | 510.58 | 1,301.93 |
| Burkina Faso | 128.60 | 68.14 | 212.00 | 1,061.64 | 305.06 | 709.45 | 2,967.40 | 2,402.73 | 2,159.52* | 10,014.54 |
| Cape Verde | - | - | - | - | - | 111.58 | 3.74* | 2.92* | 548.36 | 666.60 |
| Cote d'Ivoire | 1,026.00 | 1,345.00 | 792.13 | 2,212.26 | 634.13 | 535.68 | 1,482.55 | 853.87 | 898.96 | 9,780.58 |
| Gambia | 544.77 | - | - | - | - | 286.59 | 11.16 | 566.97 | 375.73 | 1,785.22 |
| Ghana | - | 2,042.50 | 460.50 | 942.01 | 4,225.50 | 209,506.80 | 8,294.10 | 1,409.40 | 4,375.98* | 231,256.79 |
| Guinea | 171.17 | 662.50 | - | - | - | - | - | - | - | 833.67 |
| Guinea Bissau | - | - | - | - | - | - | - | - | - | 0.00 |
| Liberia | - | - | - | - | - | - | - | - | 135* | 135.00 |
| Mali | 5.00 | 21.16 | 47.00 | 415.00 | 288.78 | 94.26 | 80.00 | 404.27 | 762.42 | 2,117.89 |
| Mauritania | 13.07 | 6.50 | - | 17.65 | 29.01 | 33.03* | 6,765.10 | - | - | 6,864.36 |
| Niger | 462.76 | 1,088.50 | - | - | 722.94 | 690.93 | 777.38 | 499.89 | 682.17 | 4,924.57 |
| Nigeria | - | 1,523.00 | 2,550.34 | 7,461.71 | 19,732.66 | 15,258.00 | 18,604.00 | 15,904.70 | 16,170.50 | 97,204.91 |
| Senegal | 3,959.69 | 389.18 | 700.48 | 1,939.15 | 1,391.88 | 84,391.00 | 24,803.00 | 13,627.00 | 69,652.00 | 200,853.38 |
| Sierra Leone | - | 1,340.00 | 684.31 | 59.25 | - | 397.56 | - | - | - | 2,481.12 |
| Togo | 22.15 | - | 10.78 | - | - | - | 156.85 | 1,066.19 | 643.14 | 1,899.11 |
| **Grand Total** | **6339.82** | **8,486.48** | **5,522.38** | **14,215.67** | **27,560.47** | **312,057.58** | **64,258.11** | **36,764.80** | **96,914.36** | **572,119.67** |

*Source: UNDCP Seizure Database on input from ARQ, Government, ICPO and INCB*

**Source: Interministerial Drug Control Committees of West Africa*

*Annex 2d.Seizure Statistics for West Africa, 1990-1998: Cannabis Resin*

| Cannabis(resin)/kg | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | Total 90-98 |
|---|---|---|---|---|---|---|---|---|---|---|
| Bénin | - | - | - | - | - | - | - | - | - | 0 |
| Burkina Faso | - | - | - | - | - | - | - | 4,647 | - | 4,647 |
| Cape Verde | - | - | - | 3,000* | - | 2.156* | - | - | 0.001* | 3,002.157 |
| Cote d'Ivoire | - | - | - | - | - | - | - | - | - | 0 |
| Gambia | - | - | - | 0.328* | 0.008* | 0.013 | - | 0.05 | 0.42 | 0.819 |
| Ghana | - | - | - | - | - | - | - | - | - | 0 |
| Guinea | - | - | - | - | - | - | - | - | - | 0 |
| Guinea Bissau | - | - | - | - | - | - | - | - | - | 0 |
| Liberia | - | - | - | - | - | - | - | - | - | 0 |
| Mali | - | - | - | - | - | - | - | - | - | 0 |
| Mauritania | - | - | - | 0.03 | - | - | - | - | - | 0.03 |
| Niger | - | - | - | - | - | - | - | - | - | 0 |
| Nigeria | - | - | - | - | - | - | - | - | - | 0 |
| Senegal | - | 218.4 | - | - | 2.1 | - | - | 0.039* | 0.035* | 220.574 |
| Sierra Leone | - | - | - | - | - | - | 987 | - | - | 987 |
| Togo | - | - | - | - | - | - | - | - | - | 0 |
| **Grand Total** | **0.00** | **218.40** | **0.00** | **3,000.36** | **2.11** | **2.17** | **987.00** | **4.74** | **0.46** | **4,215.23** |

*Source: UNDCP Seizure Database on input from ARQ, Government, ICPO and INCB*

**Source: Interministerial Drug Control Committees of West Africa*

***Annex 2e.Seizure Statistics for West Africa, 1990-1998: Stimulants***

| **Stimulants** *UNDCP units* | **1990** | **1991** | **1992** | **1993** | **1994** | **1995** | **1996** | **1997** | **1998** | **Total 90-98** |
|---|---|---|---|---|---|---|---|---|---|---|
| Bénin | - | - | - | - | - | - | - | - | - | 0 |
| Burkina Faso | 44,036 | 27,384 | - | 484,211 | 346,903 | 335,510* | 202,574* | 42,198* | 196,439* | 1,679,255 |
| Cape Verde | - | - | - | - | - | - | - | - | - | 0 |
| Cote d'Ivoire | 809,900 | 297,778 | 250,313* | 10,494 | 13,125 | 8,463 | 1,809 | 0 | 6,385 | 1,398,267 |
| Gambia | - | - | - | - | - | - | - | - | - | 0 |
| Ghana | - | - | - | - | - | - | - | - | - | 0 |
| Guinea | - | - | - | - | - | - | - | - | - | 0 |
| Guinea Bissau | - | - | - | - | - | - | - | - | - | 0 |
| Liberia | - | - | - | - | - | - | - | - | - | 0 |
| Mali | - | - | - | - | 32 | 1,207 | - | - | - | 1,239 |
| Mauritania | 258 | - | - | - | 1,161 | - | - | - | - | 1,419 |
| Niger | 99,691 | 103,712 | - | - | 661,924 | - | 220,368 | 186,574 | - | 1,272,269 |
| Nigeria | - | - | - | 182,600 | 9,430,000 | 4,500,000 | 1,065,200 | 30,952,50 | - | 46,130,30 |
| Senegal | - | 68,581 | - | - | - | - | - | 17 | - | 68,598 |
| Sierra Leone | - | - | - | - | - | - | - | - | - | 0 |
| Togo | - | - | - | - | - | - | - | - | 42,000* | 42,000 |
| **Grand Total** | **953,885** | **497,455** | **250,313** | **677,305** | **10,453,145** | **4,845,180** | **1,489,951** | **31,181,28** | **244,824** | **50,593,34** |

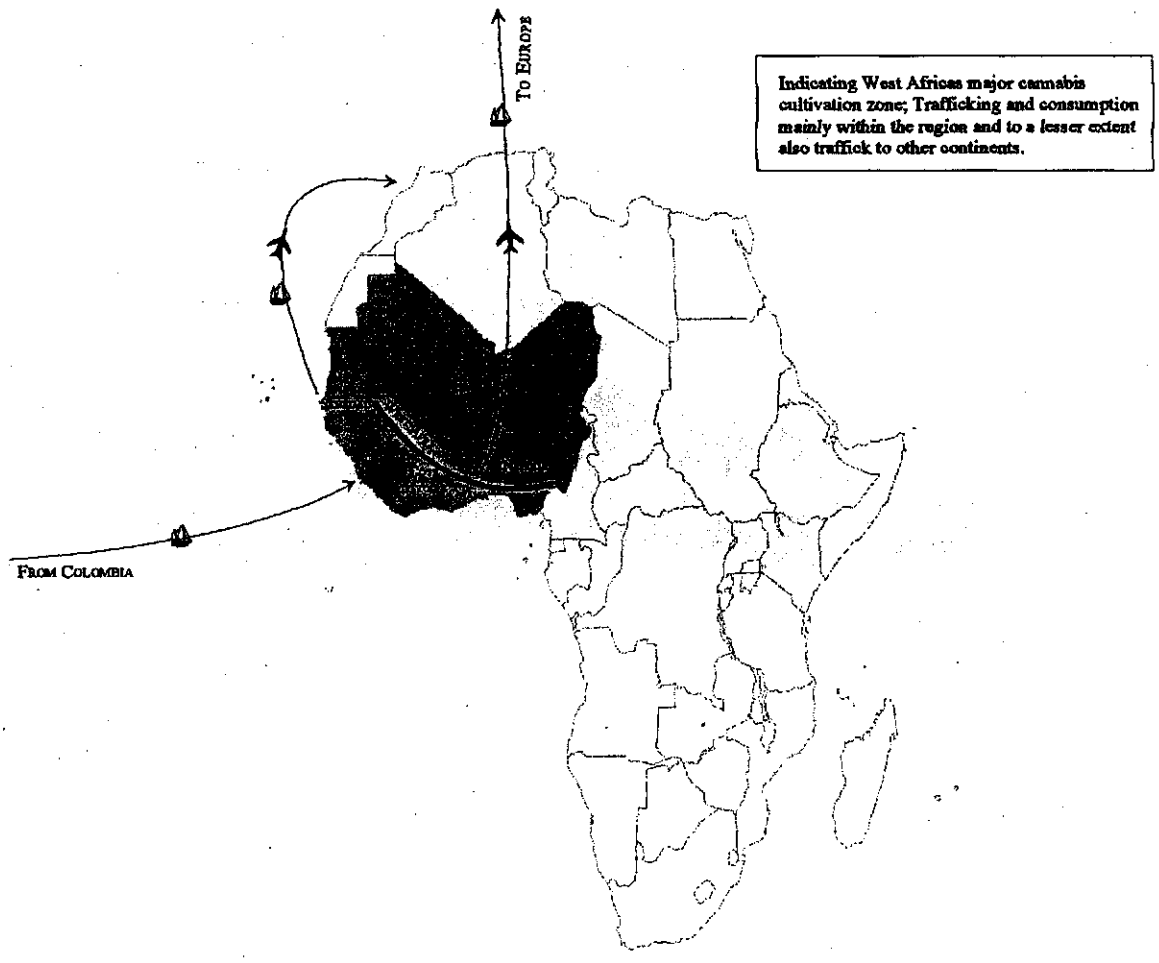
*Source: UNDCP Seizure Database on input from ARQ, Government, ICPO and INCB*

**Source: Interministerial Drug Control Committees of West Africa*

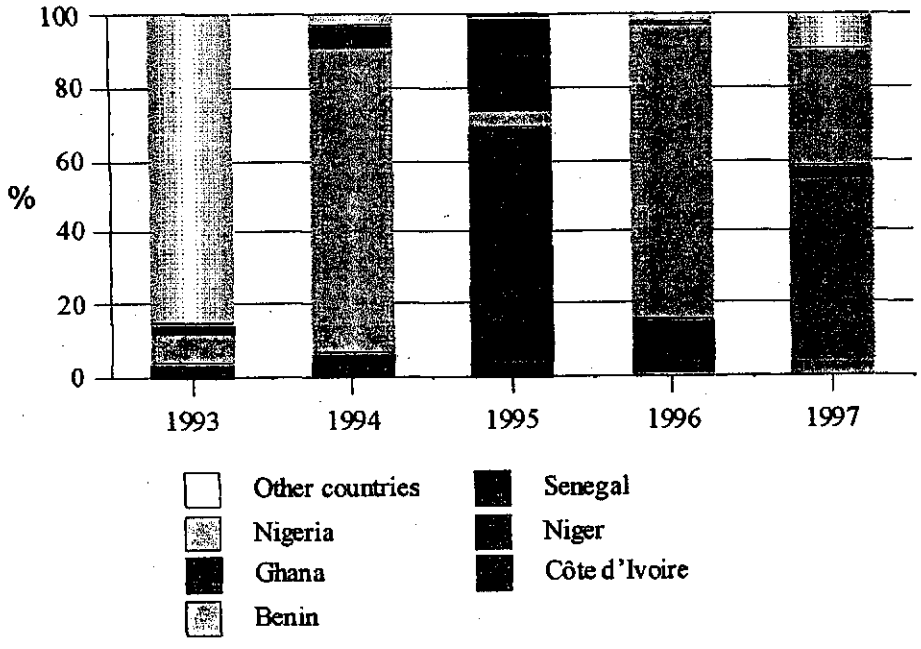
*Table 5. Overview of Start Date and Duration of project contained in the Assistance Programme*

| PROJECT NUMBER AND TITLE | 2000 | 2001 | 2002 | 2003 | 2004 |
|---|---|---|---|---|---|
| **RAF/826** - Development of assistance programmes and Projects in West Africa (on-going) | Dec 2000 | | | | |
| **RAF/C86** - Rapid assessment of the drug abuse situation for the West Africa Subregion (on-going) | Dec 2000 | | | | |
| ***RAF/XX1*** - Evaluation of the drug abuse situation in West Africa through rapid assessment studies | Jun 2000 | Dec 2002 | | | |
| **RAF/XX2** - Assistance to the mainstreaming of the drug issue in West Africa | Dec 2000 | | | | Dec 2004 |
| **SEN/XX3** - Assistance to the fight against drugs in Senegal | Jun 2000 | | Dec 2003 | | |
| **RAF/XX4** - Assistance to the implementation of the ECOWAS Drug Control Plan of Action | Sep 2000 | | Sep 2003 | | |
| **RAF/XX5** - Assistance to National Institutions for Drug Control in West Africa | Sep 2000 | | Dec 2003 | | |
| **SRL/XX6** - Assistance to drug control in post conflict countries: Sierra Leone | Sep 2000 | | Sep 2003 | | |
| **LIB/XX7** - Assistance to drug control in post conflict countries: Liberia | Dec 2000 | | Dec 2003 | | |
| **GBS/XX8** - Assistance to drug control in post conflict countries: Guinea Bissau | Sep 2000 | | Sep 2003 | | |
| **RAF/XX9** - Legal advisory programme for West Africa | Sep 2000 | | Sep 2003 | | |
| **RAF/X10** - Strengthening of demand reduction awareness among risk groups in West Africa | Jun 2000 | | Jun 2003 | | |
| **RAF/X11** - Technical and financial assistance for the implementation of demand reduction activities in West Africa | | Jun 2001 | | | Jun 2005 |
| **RAF/X12** - Drug Abuse and HIV/AIDS prevention in West Africa | | Mar 2001 | Mar 2004 | | |
| **RAF/X13** - Support to control measures of illicit drugs and licit drugs under international Control in West Africa | | Jun 2001 | | | Dec 2004 |
| **RAF/X14** - Strengthening of regional capacities for drug trafficking interdiction in West Africa | | Jun 2001 | | | Dec 2004 |

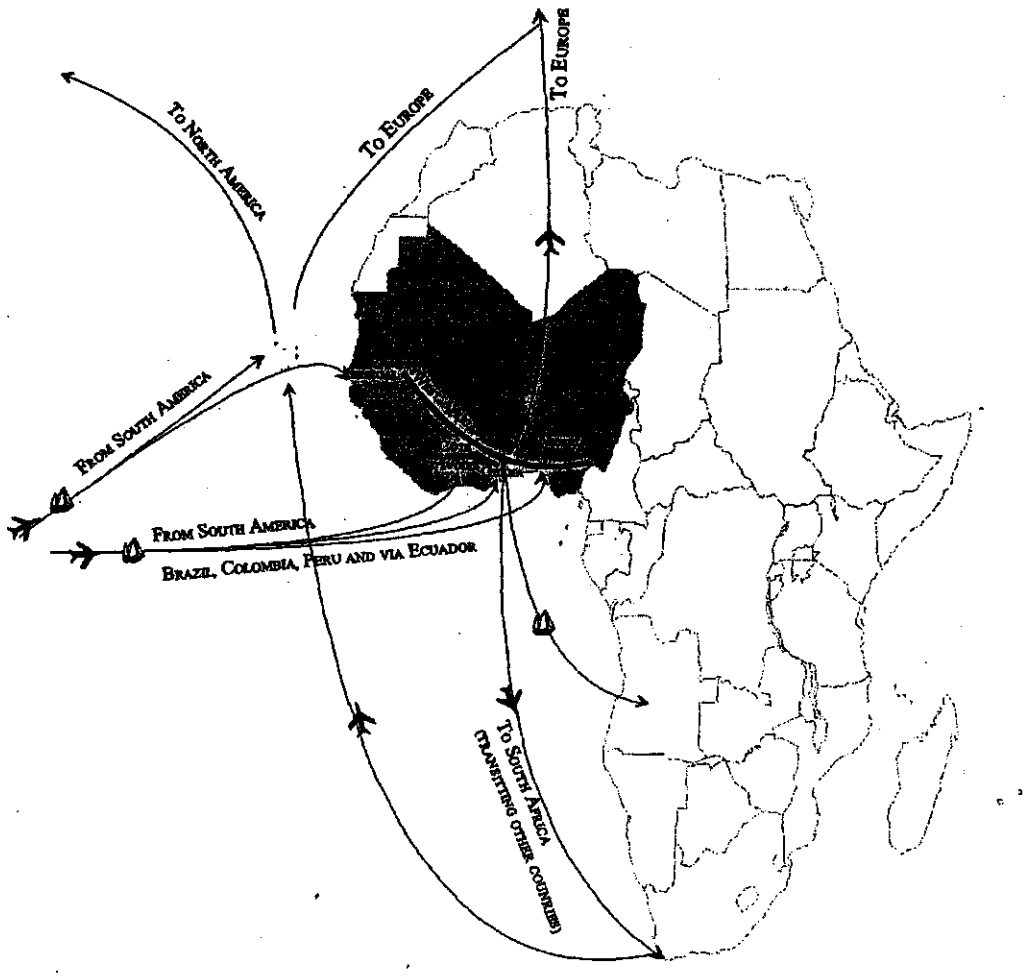
## *Annex 4. Major International Trafficking Routes Affecting West Africa: Cannabis*

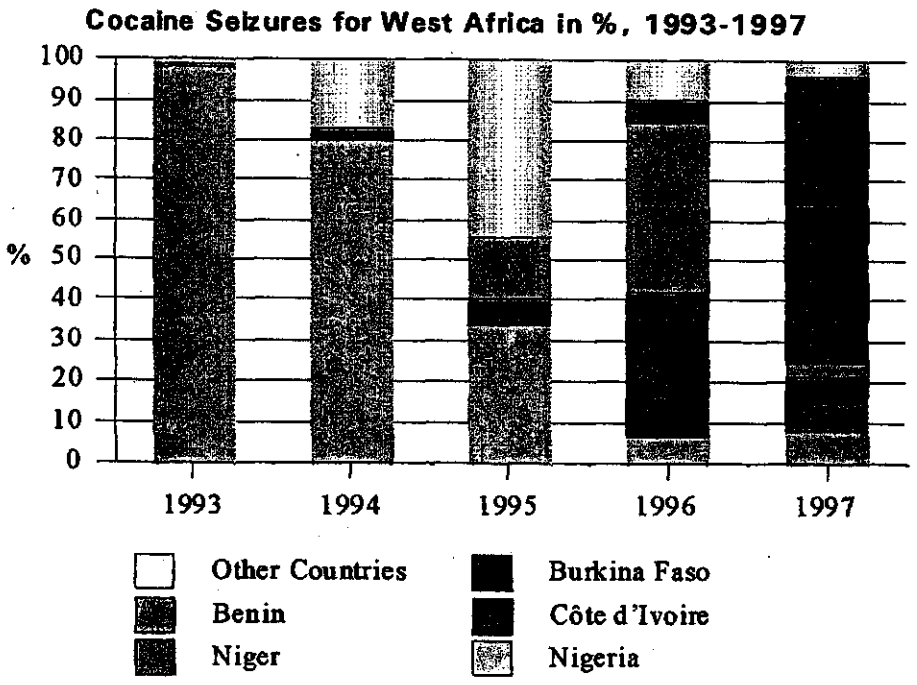



**Cannabis Herb Seizures for West Africa in %, 1993-1997**

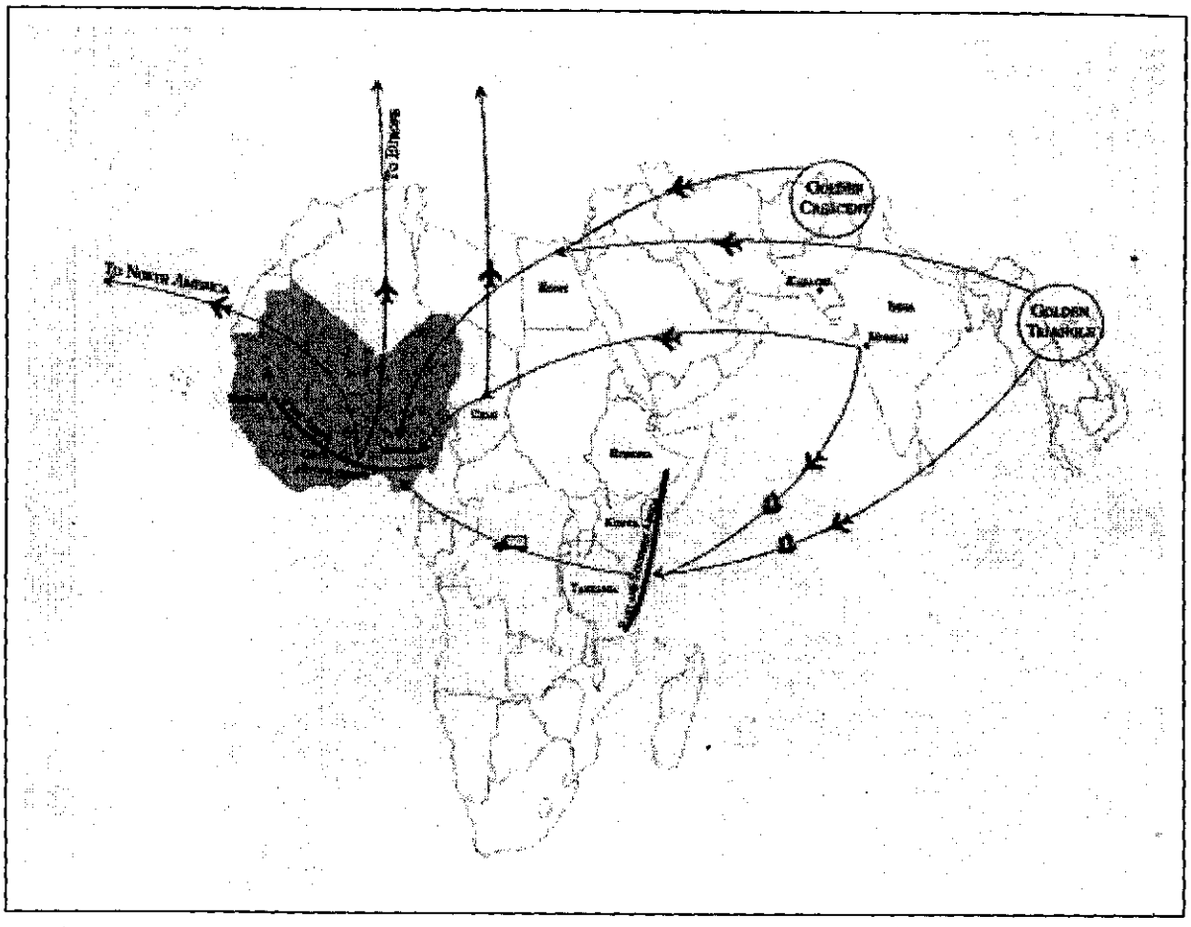


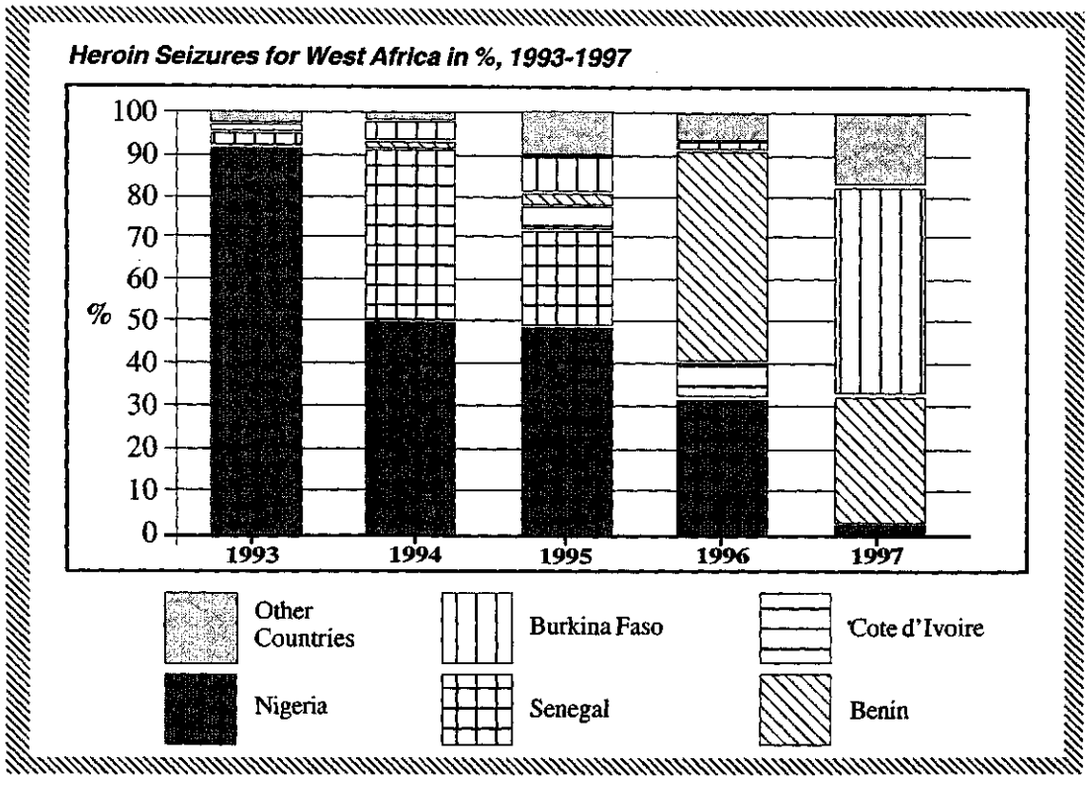
## Annex 5. Major International Trafficking Routes Affecting West Africa: Cocaine



***Annex 6. Major International Trafficking Routes Affecting West Africa: Heroin***



| | |
|---|---|
| **Project Number and Title:** | AD/RAF/XX1 - Evaluation of the drug abuse situation in West Africa through rapid assessment studies |
| **Sub-region / Country:** | West Africa / Benin, Burkina Faso, Cape Verde, The Gambia, Guinea, Mali, Mauritania, Niger and Togo |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | 2,5 years |
| **Expected Start Date:** | June 2000 |

**Drug Control Issues to be Addressed:**
Data on the drug abuse situation in West Africa is still limited. To improve this situation, UNDCP has started the implementation of rapid assessment studies in four countries in the West African region (Cote d'Ivoire, Ghana, Nigeria and Senegal). It is proposed to extent assistance for assessment studies to nine other countries of the sub-region. The purpose of these studies is to collect and analyze data on drug abuse, and to enhance capacity building in data collection and analysis.

It is planned that on the basis of the conclusions of the rapid assessment studies, national demand reduction strategies as well as projects will be developed, financed and implemented. Support will be provided to that end under Project RAF/X11.

During the conduct of these studies, attention will be paid to the links between drug abuse and HIV/AIDS. In addition, the rapid assessment studies will form the basis on which to develop activities foreseen in UNDCP's Global Assesement Programme which aims at establishing a permanent and reliable global system for Member States of the United Nations to collect and assess the magnitude of and trends in the abuse of illicit drugs at the country, regional and global level. One feature of that system would be to develop a standard set of indicaters far drug abuse in order to obtain internationally comparable data.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** The determination of the extent and pattern of the drug abuse situation in West African countries as a basis for the development of demand reduction strategies and projects.

***Immediate Objective 1:*** To conduct rapid assessment studies in Benin, Burkina Faso, Cape Verde, The Gambia, Guinea, Mali, Mauritania, Niger and Togo on the abuse of illicit drugs;

***Immediate Objective 2:*** To conduct workshops aimed at operationalizing the findings of the studies in accordance with identified priorities.

***Immediate Objective 3:*** To build or consolidate mechanisms and capacities for a continuous evaluation of drug abuse trends at national level.

***Immediate Objective 4:*** To promote the exchange of expertise and experience among the 16 countries of West Africa in collecting and assessing data on drug abuse.

***Execution Modality / Counterparts:***
UNDCP / Government counterparts: Inter-ministerial Committee in the countries addressed

***Estimated Budget:*** US$ 700,000

| | |
|---|---|
| **Project Number and Title:** | AD/RAF/XX2 - Assistance to the Mainstreaming of the Drug Issue in West Africa |
| **Sub-region / Country:** | West Africa / Selected countries |
| **Drug Control Sector :** | Prevention and Reduction of Drug Abuse |
| **Duration:** | 4 years |
| **Expected Start Date:** | December 2000 |

**Drug Control Issues to be Addressed:**
With the increasing cannabis cultivation and spill-over effect from the transit of illicit drugs in the sub-region, drug abuse is becoming a problem of concern in the West African countries. Available data on the problem are still relatively limited, but sufficient to conclude that drug abuse is an increasing concern for all countries in the sub-region. In countries where the existence of a drug abuse problem has been recognized vigorous actions have already been implemented for the prevention of populations at large, with a particular focus on the youth. At the UNGASS on Drugs in June 1998, the Member States of the UN agreed upon that there is a need to intensify efforts in drug demand reduction and to provide adequate resources towards that end. The Member States recognized at the session that demand reduction is an indispensable pillar in the global approach to counter the world drug problem, and committed themselves to introduce in their national programmes and strategies the provisions set out in the Declaration on the Guiding Principles of Drug Demand Reduction.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** The applicatidn by the sixteen West African countries of the Declaration on the Guiding Principles on Drug Demand Reduction in order to achieve significant and measurable results in reducing the demand of drugs by year 2008.

***Immediate Objective 1:*** To promote the information of decision makers at all levels about the increasing number of problems related to drug abuse as well as the awareness of existing drug control, political declerations and commitments made at the national, sub-regional, regional and international level.

***Immediate Objective 2:*** To disseminate information on drug related issues among the general public and specialized entities involved in drug control activities.

***Execution Modality / Counterparts:***
UNDCP Regional Office for West and Central Africa (1 UNV) / National and international civil society organizations

***Estimated Budget:*** US$ 500,000

| | |
|---|---|
| **Project Number and Title:** | AD/SEN/XX3 - Assistance to the fight against drugs in Senegal |
| **Sub-region / Country:** | West Africa / Senegal |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | 3.5 years |
| **Expected Start Date:** | June 2000 |

**Drug Control Issues to be Addressed by Project:**
Senegal is a West-African country confronted with an increasing drug cultivation and illicit trafficking. Cannabis is cultivated in several areas of the country, but mainly along the borders with The Gambia and Guinea-Bissau and in the Casamance Region in the south of the country. Some of these areas are difficult to reach due to the insecurity created by a long-standing conflict opposing the Senegalese Army by a guerilla group claiming independence for the Casamance Region. There have been reports of existing links between cannabis cultivation and the guerilla movement, but no concrete proof exists to substantiate them. The issue of cannabis cultivation is further complicated by the high profits that can be derived from it when compared to other types of licit agricultural products. Senegal also serves as a transit point for cocaine and heroin coming from Latin America and Asia, and destined to Europe or North America. In a recent case of controlled-delivery, 30 kg. of cocaine originating from Venezuela were seized in Dakar. Elements related to this case and others lead to suspect the existence of sophisticated criminals networks in Senegal. The geographic situation of the country and its capital city, Dakar, well connected to Africa, Europe, North America and the rest of the world by good air and seaport infrastructures make Senegal an attractive drug trafficking route. Drug-related criminality, in particular money-laundering, is also a source of concern. Several cases uncovered recently involved dignitaries and Senegalese immigrants arrested in France for drug trafficking. The spill-over of drug trafficking has created a local market for codaine, crack and heroin. However, the abuse of these substances remains limited compared to that of cannabis which is widespread. The Senegalese society in its large majority severely condemns drug abuse and marginalizes abusers. At the same time, however, the economic hardship faced by the population and the lack of viable means of obtaining a livelihood contribute to a certain tolerance towards drug cultivation and trafficking, including peddling, in some disadvantaged milieus.

It is proposed in the project to tackle in priority the issue of cannabis cultivation, through law enforcement measures and the sensitization of populations in relation to the specific cultural, social, economic and development conditions prevailing in cultivation areas. Other aspects related to drug trafficking and abuse will also be covered under Projects RAF/X11, RAF/X13 and RAF/X14.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** The effective control of cannabis cultivation in Senegal, in line with the National Drug Control Action Plan and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development adopted by the UNGASS.

***Immediate Objective 1:*** To improve law enforcement measures in order to significantly reduce cannabis cultivation and trafficking and their profitability.

***Immediate Objective 2:*** To conduct large scale community-based sensitization actions through dialogue and persuasion, in view of promoting social responsibility to develop a civic culture that rejects the illicit cultivation of cannabis.

**Execution Modality / Counterparts:**
UNDCP Regional Office for West and Central Africa! Inter-ministerial Drug Control Committee of Senegal/Law enforcement entities/Centre de Sensibilisation et d'Information Jacques Chirac.

***Estimated Budget:*** US$ 400,000

| | |
|---|---|
| **Project Number and Title:** | AD/RAF/XX4 - Assistance to Implementation of the ECOWAS Drug Control Plan of Action |
| **Sub-region / Country:** | West Africa / Regional |
| **Drug Control Sector :** | Inter-sectoral |
| **Duration:** | 3 years |
| **Expected Start Date:** | September 2000 |

**Drug Control Issues to be Addressed:**
West Africa has not been spared by the worldwide increase in drug trafficking and abuse. The countries of the sub-region have reacted in a coordinated fashion to the drug threat by implementing the recommendations from the different meetings of the sixteen Ministers in charge of drug control activities. These recommendations have included the strengthening of national drug control coordination bodies, the training of human resources for drug control, the review of legislation to harmonize them to the three international drug control conventions, and an increased coordination role for ECOWAS. The Secretariat of ECOWAS has showed a particular interest to drug control activities, and with the assistance of UNDCP, it has set up in 1997 .a Drug Control Unit. This Drug Control Unit has formulated a drug control Plan of Action which defines the approach to drug control at national as well as regional levels in the sub-region. In August 1997, the Heads of State and Government of ECOWAS adopted this Plan of Action.

With limited staff and resources, the Drug Control Unit has succeeded in advocating for drug control at the highest possible political level. However, the Drug Control Unit requires additional support from UNDCP to ensure an adequate coordination and monitoring of the ECOWAS Plan of Action and the related Assistance Programme. The management of a new drug control trust fund set up by the ECOWAS Secretariat (ECODRUG Fund) also requires advisory and financial assistance which will be provided under the present project.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** The satisfactory implementation by the sixteen Governments of West Africa and the ECOWAS Secretariat of the Regional Plan of Action against the Abuse and Illicit Traffic of Narcotics Drugs and Psychotropic Substances adopted by the sixteen Heads of State and Governments of ECOWAS Member States in August 1997.

***Immediate Objective 1:*** To skill the Drug Control Unit of the ECOWAS Secretariat to discharge, in an effective way, its coordination function on drug related matters at the regional level, in view of the implementation of the ECOWAS Plan of Action.

***Immediate Objective 2:*** To enhance the role and capacity of the Drug Control Unit as a center of information and reference in drug control in West Africa.

***Immediate Objective 3:*** To put in place the necessary means for the ECODRUG Fund to be operational in view of funding selected drug control activities in the sub-region.

**Execution Modality / Counterparts:** ECOWAS Secretariat's Drug Control Unit

***Estimated Budget:*** US$ 600,000

| | |
|---|---|
| **Project Number and Title:** | AD/RAF/XX5 - Assistance to National Institutions for Drug Control in West Africa |
| **Sub-region / Country:** | West Africa / Regional |
| **Drug Control Sector:** | Inter-sectoral |
| **Duration:** | 3 years |
| **Expected Start Date:** | September 2000 |

**Drug Control Problem to be Addressed:**
During the past four years, UNDCP has provided assistance for the strengthening of national and regional structures responsible for drug control in West Africa. To this end, advisory assistance, equipment and training have been provided for the setiing-up or strengthening of drug control coordination entities. In addition, training (including training of trainers) has been provided in a variety of drug control fields with the objective of increasing the human resource basis responsible for the implementation of drug control activities. UNDCP's assistance has been provided through national projects as well as a regional one (RAF/893), the final evaluation of which concluded that additional assistance was required in order to sustain the results achieved. Furthermore, the ECOWAS Plan of Action, to the implementation of which UNDCP has pledged assistance, focuses on the establishment or strengthening of national and regional structures for policy coordination and irhplementation as well as the development of human resources.

Although the project is regional, its implementatien will be country-specific, and tailored to provide support to the implementation of priority activities identified by the countries themselves in their national drug control strategies.

**Drug Control and Immediate Objective:**
***Drug Control Objective:*** National drug control strategies and competent human resources to implement these strategies exist in selected countries;

***Immediate Objective 1:*** To strengthen the role of the Interministerial Drug Control Committees through advocacy for a higher Government commitment, and the provision of advisory assistance and equipment to selected countries.

***Immediate Objective 2:*** To assist in the formulation and implementation of national drug control strategies, which can serve as the basis for the preparation of national action plans in all countries of West Africa.

***Immediate Objective 3:*** To assess drug control training needs, evaluate training capacities in selected countries, and assist national training units to conduct in-country training in various drug control fields.

**Execution Modality / Counterparts:**
UNDCP Regional Office for West and Central Africa/National Drug Control Coordination Bodies

Estimated Budget: US$ 1,100,000

**Project Number and Title:** AD/SRL/XX6 - Assistance to Drug Control in Post-Conflict Countries: Sierra Leone

**Sub-region / Country:** West Africa / Sierra Leone

**Drug Control Sector:** Inter-Sectoral

**Duration:** 3 years

**Expected Start Date:** September 2000 *(if the situation in the country allows project start)*

**Drug Control Issues to be Addressed:**
The end the conflict in Sierra Leone has constituted a hiatus for most of those concerned. The traumatic experiences of the recent past has contributed to drug abuse by both the civilian population as well as demobilized soldiers, including child soldiers among whom substance abuse was widespread during the civil war. In addition, the civil war has resulted in massive internal and external displacement of populations as well as in a complete breakdown of the political, social and economic structures and processes. At the request of the Government and the UN Resident Coordinator, UNDCP conducted in September 1998 an assessment mission during which priority areas of intervention were identified, including drug control coordination, prevention of drug abuse, treatment of ex-combatants and strengthening of law enforcement entities. It was concluded by the mission team that Sierra Leone needed assistance to build or re-build its drug control capacities. A second mission (to formulate an assistance project) could not take place due to the resumption of civil war. Following the signing of the Lome Peace Accord on 7 July 1999, the demobilization and reconstruction processes have started in the country, and offer opportunities for collaboration with other UN Agencies and Relief Organizations. Whenever feasible, UNDCP's assistance will therefore be included as a component of larger assistance programmes.

**Drug Control and Immediate Objectives:**

***Drug Control Objective:*** The achievement of significant reduction in drug trafficking and abuse in the context of post-conflict recovery.

***Immediate Objective 1:*** To identify priority areas of action in drug control on the basis of a Rapid Assessment Study;

***Immediate Objective 2:*** To provide assistance to ex-combatants, including child soldiers, in drug abuso prevention, treatment and rehabilitation, in view of their social reintegration.

***Immediate Objective 3:*** To implement drug abuse prevention activities targeted at in and out of school youth in relation with education for peace programmes.

***Immediate Objective 4:*** To strengthen and improve the drug control coordination capacities of the National Drug Abuse Control Coordinating Secretariat (NDACCS) as well as the law enforcement entities, including the judicial system.

**Execution Modality / Counterparts:**
UNDCP/ NDACCS, UNDP Sierra Leone (1/2 NPO) and other UN Agencies

***Estimated Budget:*** US$ 400,000

| | |
|---|---|
| **Project Number and Title:** | AD/LIB/XX7 - Assistance to Drug Control in Post-Conflict Countries: Liberia |
| **Sub-region / Country:** | West Africa / Liberia |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | 3 years |
| **Expected Start Date:** | September 2000 *(if the situation in the country allows project start)* |

**Drug Control Issues to be Addressed by Project:**
The civil war in Liberia lasted from 1989 to 1997. Following the holding of democratic elections and an All Liberia National Conference, the peace process has been consolidated by the completion, in July 1999, of a weapon-destruction programme during which over 19,000 small and heavy-calibre weapons and more than 3 million rounds of ammunition were destroyed. Efforts are underway to re-build the country's shattered infrastructures, institutions and economy. Among activities supporting the peace process, the promotion of national reconciliation and the strengthening of democratic institutions, it is worth mentioning an UN-funded project, the Liberia Peace Forum, which aims at preparing a peace education curriculum for sehools, colleges and universities.

The long civil war has probably exacerbated the drug issue on at least two accounts: first, the breakdown of law and order has been conducive to illicit activities including the trafficking in gold, diamonds and drugs; secondly, there have been reports by local NGOs of a large scale drug abuse by former combatants during the conflict.

UNDCP has provided support to Liberia to strengthen the National Interministerial Drug Committee (NIDC), to equip that structure and to train government and non-government officials in various areas of drug control. Most of the benefits of this assistance were lost when the conflict worsened.. However, even during these periods, dedicated staff from government or civil society organizations continued the fight against drug abuse and trafficking, often under extremely difficult conditions. Work is now underway to strengthen the drug control institutional framework with the passing into law of the Act establishing the Drug Enforcement Agency which will take over the functions of the MDC, the narcotics units from the Police and other security agencies, and therefore deal with most aspects of drug control matters.

It is proposed under the project to assist the Government of Liberia and the civil society in strengthening their capacities for drug control. Several requests for assistance have already been received from the Government and NGOs from Liberia. It is the intention of UNDCP to conduct in the near future an assessment mission in the country in order to determine precisely priority areas of assistance. Whenever feasible, components of project activities will be integrated in the framework of larger UN inter-agency reconstruction programmes.

**Drug Control and Immediate Objectives:**
The drug control and immediate objectives will be elaborated following an assessment mission to Liberia.

**Execution Modality / Counterparts:**
UNDCP/ UNDP Liberia (1/2 NPO); national counterpart: NIDC/DEA, civil society organizations, other

UN Agencies or relief organizations.

***Estimated Budget: US$*** 400,000

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| **Project Number and Title:** | AD/GBS/XX8 - Assistance to Drug Control in Post-Conflict Countries: Guinea Bissau |
| **Sub-region / Country:** | West Africa / Guinea Bissau |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | 3 years |
| **Expected Start Date:** | September 2000 *(if the situation in the country allows project start)* |

**Drug Control Issues to be Addressed:**
In June 1998, a violent conflict broke out in Guinea Bissau, and led to the displacement of one third of the total population. Following the signing of a peace agreement in November 1998, a transitional period under the control of a military junta, and democratic legislative and presidential elections held in November 1999, Guinea-Bissau has entered a phase of reconstruction with the assistance of the international community. Before the outbreak of the conflict, UNDCP was about to complete a multi-sectoral drug control project. Drug trafficking and abuse appear to be a relatively new phenomenon in Guinea-Bissau. There are indications that Guinea-Bissau is used as a transit point, possibly because of the proximity of its islands to those of Cape-Verde which now serve as transshipment points for cocaine coming from South America. Drug consumption seems to concern mainly a young urban population abusing cannabis in combination with psychotropic substances. The only known drug cultivated in the country is cannabis. The main concern of the government, at the time the assistance project was formulated, was to prevent an increase in drug trafficking and abuse that they would not be able to face given their limited human and financial resources . It is feared that the complete breakdown of law and order during the conflict has had a negative impact on drug trafficking trends. In addition, the traumatic experiences of the recent past can contribute to drug abuse by several segments of the population. For these reasons, the assistance of UNDCP, requested by the national authorities before the conflict, would be even more timely at this stage of post-conflict recovery. The planned activities will be undertaken in connection with the European Union funded project AADP/PAAD, particularly in the area of formulation of a national drug control strategy.

**Drug Control and Immediate Objective:**
***Drug Control Objective:*** To have achieved a significant decrease in drug abuse and illicit trafficking in Guinea-Bissau.

***Immediate Objective 1:*** The Government of Guinea-Bissau has improved its human, technical and operational capacities to better control and interdict illicit trafficking of substances under international control;

***Immediate Objective 2:*** A national strategy for drug control has been formulated;

***Immediate Objective 3:*** Guinea-Bissau has launched a drug abuse prevention campaign with participation of the civil society.

**Execution Modality/ Counterparts:** UNDCP / UNDP Guinea Bissau (1/2 NPO);
***National counterpart:*** Ministry of Justice through the IMDCC.

***Estimated Budget: US$*** 400,000

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| **Project Number and Title:** | AD/RAF/XX9 - Legal Advisory Programme for West Africa |
| **Sub-region / Country:** | West Africa / Regional |
| **Drug Control Sector:** | Suppression of Illicit Drug Trafficking |
| **Duration:** | 3 years |
| **Expected Start Date:** | September 2000 |

**Drug Control Issues to be addressed:**
UNDCP has provided assistance to the 16 countries of West Africa by formulating a model legislation, in line with the three UN international drug control conventions, to serve as a basis for the updating of their national legislation. However, some countries have still not completed the reformulation of their legislation and many others need technical and financial assistance in the training of magistrates and the establishment of appropriate administrative measures. It is proposed in this project to provide support to these countries for these purposes.

Another aspect of the planned assistance will concern the need, expressed by several countries, to have appropriate legal and administrative instruments for dealing with the diversion of licit substances under international control. With the increase in international drug trafficking through West Africa, other forms of drug-related criminality, such as corruption and money laundering, have emerged. With the support of UNDCP and ECOWAS, the sixteen countries have met in November 1999 in Dakar, Senegal, and decided to create an Inter-Governmental Action Group against Money Laundering in West Africa aimed at strengthening the cooperation between African countries in the fight against money laundering. The third area of focus of the planned assistance will therefore concern money laundering. The present project, which is limited to West Africa, will complement activities implemented under UNDCP's projects GLO/900 "Legal Advisory Programme" and GLO/B75 "Global Programme against Money Laundering".

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To reduce the level of drug trafficking in the sub-region by promoting the effective adoption by all countries of West Africa of legislative and administrative measures for drug control, including for licit substances under international control, in conformity with the three UN international drug control conventions, and to assist them in strengthening their capacities to deal with money laundering and corruption at national and regional levels.

***Immediate Objective 1:*** The countries of West Africa have formulated, adopted and implemented a drug control legislation in accordance with the three UN conventions.

***Immediate Objective 2:*** The Secretariat of an Inter-Governmental Action Group against Money Laundering in West Africa has been set-up to provide technical assistance to (initially) West African countries for the formulation and implementation of adequate legislation on money laundering, the training of human resources and the creation of financial intelligence and investigation units.

***Immediate Objective 3:*** Regional cooperation in the investigation and prosecution of drug trafficking, money laundering and organized crimes has been strengthened through the adoption and implementation of the 1988 UN convention, the 1992 ECOWAS convention on Mutual Assistance and the 1994 ECOWAS Convention on Extradition.

***Execution Modality / Counterparts:***
UNDCP (Regional Office for West and Central Africa, GPML, LAS) / Interministerial Drug Control Committees, Ministries of Justice of concerned countries, ECOWAS.

***Estimated Budget:*** US$ 400,000

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| **Project Number and Title:** | AD/RAF/X10 - Strengthening of Demand Reduction Awareness among Risk Groups in West Africa |
| **Sub-region / Country:** | West Africa / Cape Verde, The Gambia, Guinea-Bissau and Senegal |
| **Drug Control Sector :** | Prevention and Reduction of Drug Abuse |
| **Duration:** | 3 years |
| **Expected Start Date:** | June 2000 |

**Drug Control Issues to be Addressed:**

The Governments of Cape Verde, The Gambia, Guinea Bissau and Senegal have in recent years voiced concern over an increase in the abuse of illicit drugs among their population and particularly the youth. In Cape Verde, the spill over effect from cocaine being trafficked has resulted in a more frequent abuse of that substance among the population. The Gambia is also increasingly affected by the spill over effect from illicit drug trafficking. The Inter-ministerial Drug Control Committees as well as local NGOs have reported an alarming increase in drug abuse and especially among the youth. Guinea Bissau has become another transit point for narcotic drugs. The country is in a post-conflict situation and abuse of drugs, mainly cannabis, has been reported among the youth. In Senegal, cannabis is abused in both rural and urban settings and the major cities have witnessed an increasing abuse of cocaine, heroin and amphetamine type stimulants in recent years, Abuse of crack has also been reported in that country.

Comprehensive and effective education programmes are necessary parts of measures for counteracting drug abuse. In the four countries, UNFPA has over the past five years launched a programme on Information, Education and Communication (IEC) on "Population and Family Life" for youth in and out-of-school. In the formal sector, UNFPA's assistance to the governments of the four countries in relation to IEC has been the introduction into school curricula of a new course entitled "Education for Population and Family Life". In addition, UNFPA is promoting "Education for Population and Family Life" for the youth, including those out-of-school, through the establishment of Youth Counselling Centers. It is proposed under this project to take advantage of the work being accomplished by UNFPA to introduce drug abuse prevention components into its IEC activities.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To reduce the demand for drugs through increased prevention capacities in Cape Verde, The Gambia, Guinea Bissau and Senegal.

***Immediate objective 1:*** Programmes of Education, Information and Communication aimed at the prevention of drug abuse among youth in formal education and out of school youth have been developed and implemented.

***Immediate objective 2:*** The UNFPA-sponsored Youth Counselling Centres have been strengthened to promote drug abuse prevention among youth.

***Execution Modality / Counterparts:***

UNFPA Regional Office, Dakar / National counterparts: Cape Verde: Ministry of Education and Ministry of Social Affairs; The Gambia: Ministry of Education and National Youth Council; Guinea Bissau: Ministry of Education and Senegal: Ministry of Education and Ministry of Youth.

***Estimated Budget:*** US$ 400,000 *(UNDCP component)*

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| **Project Number and Title:** | AD/RAF/X11 -Technical and financial assistance for the implementation of demand reduction activities in West Africa |
| **Sub-region / Country:** | West Africa / Selected countries |
| **Drug Control Sector:** | Prevention and Reduction of Drug Abuse |
| **Duration:** | 4 years |
| **Expected Start Date:** | June 2001 |

**Drug Control Issues to be Addressed:**

Over the past 10 to 15 years, West Africa has witnessed an increase in illicit drug cultivation, trafficking and consumption and these worrying trends are likely to continue into the foreseeable future. A growing number of countries reports on increasing drug consumption problems, including those related to imported illicit drugs.

The real extent of drug abuse is however not fully known. To overcome that shortcoming, UNDCP is assisting four countries (Cote d'Ivoire, Ghana, Nigeria and Senegal) in the conduct of evaluation studies on drug abuse patterns. Nine additional countries will receive support for the same purpose under project RAF/XX1. It is expected that on the basis of these studies, West African countries will formulate new (or revise existing) strategies and plans of action defining their priorities in the area of demand reduction. Under project RAF/XX5, support will be provided to strengthen the capacities of governmental and civil society organizations involved in demand reduction activities. The purpose of this project will therefore be to provide direct financial and advisory assistance for the implementation of drug demand reduction activities which have been included in national action plans. This approach offers several advantages: (a) it provides a targeted support to the implementation of national drug control strategies; (b) it strengthens the role of drug control coordinating bodies which will jointly select with UNDCP priority activities to be funded; and Cc) it allows for a better planning and follow-up of drug demand reduction activities.

The specific activities to be implemented will depend on proposals contained in national plans of action. However, it is foreseen that funding will be provided to at least one project in prevention, one in treatment and relapse prevention and one in social reintegration for each selected beneficiary country (those having an officially adopted national drug control strategy and/or action plan).

**Drug Control and immediate Objective:**

***Drug Control Objective:*** To achieve significant and measurable results in reducing the demand of drugs by year 2008 through the application by the sixteen West African countries of the Declaration on the Guiding Principles on Drug Demand Reduction.

***Immediate Objective 1:*** An increasing number of measures (possibly integrated in broader social or health programmes) are effectively undertaken at national level to prevent initial abuse and dependence on drugs.

***Immediate Objective 2:*** Development and implementation of treatment, relapse prevention and rehabilitation programmes adapted to the cultural values of each beneficiary country, and involving local communities.

***Immediate Objective 3:*** Promotion of the exchange of experience in prevention, treatment and rehabilitation in view of disseminating best practices in West Africa.

**Execution Modality / Counterparts:**

UNDCP Regional Office for West and Central Africa (1 CTA, 1 NPO) / Governments and Civil Society Organizations in selected countries

***Estimated Budget:*** US$ 1,400,000

**Project Number and Title:** AD/RAF/X12 - Drug Abuse and HIV/AIDS Prevention in West Africa

**Sub-region / Country:** West Africa / Selected countries

**Drug Control Sector:** Inter-Sectoral

**Duration:** 3 years

**Actual Start Date:** March 2001

**Drug Control Issues to be Addressed:**

The African continent is experiencing one of the most rapidly progressing HIV/AIDS epidemics in the world, especially in the eastern and southern sub-regions where the disease is having a devastating effect on entire communities. In the case of West Africa, heterosexual transmission of the HIV virus is particularly preoccupying in a few countries such as Cote d'Ivoire where it is reported that one teacher dies every week of AIDS. In most countries, National Strategies and Programmes of Action against HIV/AIDS have been put in place, with noticeable success in a country like Senegal where the prevalence rate of the disease is contained at less than 2%.

In several countries, especially developed ones, HIV/AIDS and drug abuse are closely related when injecting drug use (IDU) is the method of administration of substances such as heroine, cocaine or amphetamines. In West Africa, however, IDU is still limited. Only Cape Verde reported high rates of IDU among heroin abusers.

In most of the other countries of the sub-region, HIV infection could be connected to drug abuse through risky sexual behavior, and particularly unprotected sex under the influence of drugs. In addition, many commercial sex workers are drug abusers who might engage in unsafe sex in order to get money for their drug habits.

Based on the belief that drug abuse prevention can play an important role in the worldwide response to AIDS. UNDCP has been implementing several global projects with an HIV/AIDS component. The Programme also became the 7th co-sponsoring agency of UNAIDS in 1999, and actively participates in the International Partnership against HIV/AIDS in Africa agreed upon by the Co-sponsors in January 1999. The overall goal of this Partnership is *"to urgently mobilize nations and civil societies to redirect and expand national and international political, programme and financial policies and resources to address the HIV/AIDS epidemic and its impact on development in Africa".*

It is proposed in this project to contribute to the realization of the Partnership through the development of joint activities with UNAIDS Inter-Country Team for West and Central Africa, based in Abidjan, Cote d'Ivoire, in the areas of linkages between HIV/AIDS and drug abuse, drug education, awareness and information programmes, as well as ongoing counseling, treatment, community care and rehabilitation programmes including HIV components.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To prevent and reduce the spread of the HIV/AIDS epidemic induced by drug abuse among high-risk groups in West Africa in line with objective one of the International Partnership for HIV/AIDS in Africa.

***Immediate Objective 1:*** The assessment of the relations between drug abuse and HIV/AIDS on the basis of the reports of rapid assessment studies on drug abuse trends and patterns in West Africa.

***Immediate Objective 2:*** Information and skills provided to youth aged 15-24 to reduce their vulnerability to drug abuse and HIV infection in selected countries.

***Immediate Objective 3:*** Access to drug abuse counselling and treatment to HIV/positive drug abusers in selected countries.

**Execution Modality / Counterparts:** UNDCP / UNAIDS, Government counterparts

***Estimated Budget:*** US$ 300,000

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| **Project Number and Title:** | AD/RAF/99/X13 - Support to control measures of illicit drugs and licit drugs under international control in West Africa |
| **Sub-region / Country:** | West Africa / Selected countries |
| **Drug Control Sector:** | Suppression of Illicit Drug Trafficking |
| **Duration:** | 3 years |
| **Expected Start Date:** | June 2001 |

**Drug Control Issues to be Addressed:**
Law enforcement is a priority area of action in the control of drug trafficking and abuse for the countries of the sub-region. They have received for that purpose a diversified assistance from bilateral as well as multilateral sources. In some cases, the additional means made available to law enforcement entities have resulted in spectacular increases in drug seizure, especially when external resources were combined with national ones. In some other cases, however, progress has been slow and drug seizures continue to be too often the result of luck than planned actions.

Several countries have initiated the preparation of priority projects in the field of law enforcement, which include areas where they require additional financial and technical assistance. It is proposed in the present project to provide funding for the implementation of some of these activities, especially for the following components: training of trainers including in intelligence gathering, in-country training, provision of equipment, training of sniffer dogs and their handlers, and setting-up of data bases. The selection of specific activities will be done in collaboration with the drug control coordinating body in each country on the basis of approved national drug control action plans.

The second area of focus of the project is the need for better control over licit psychotropic substances in order to prevent their leakage into illicit use and to avoid their over-prescribing, overuse and abuse. Lack of appropriate training of customs and police officers in the detection of licit drugs under international control, weak or non-existing licensing systems for the importation, registration, distribution and re-export of these substances and non-operational inspection structures all contribute to the increase in the illicit importation of psychotropic substances and their diversion from licit into illicit use. The illicit importation of precursors is also a source of concern. It is proposed in this project to provide support for improved control over psychotropic substances and precursors within existing national drug policies. Whenever feasible, collaboration will be sought from INCB, WHO and international NGOs such as Doctors without Borders or Pharmacists without Borders for the implementation and follow-up of such activities.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To achieve a verifiable reduction of the trafficking in licit and illicit drugs in West Africa through the strengthening of national capacities.

***Immediate Objective 1:*** Effective disruption of the supply of drugs into the illicit market by means of enhanced law enforcement activities at national level.

***Immediate Objective 2:*** Improvement of precursors and psychotropic substances control measures by the introduction or strengthening of registration, licensing and inspection mechanisms in line with the provisions of the UN international drug control conventions.

**Execution Modality / Counterparts:**
UNDCP, INCB, WHO, National structures, others as appropriate.

***Estimated Budget:*** US$ 1,500,000

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| **Project Number and Title:** | AD/RAF/X14 -Strengthening of regional capacities for drug trafficking interdiction in West Africa |
| **Sub-region / Country:** | West Africa / Selected countries |
| **Drug Control Sector:** | Suppression of Illicit Drug Trafficking |
| **Duration:** | 3 years |
| **Expected Start Date:** | June 2001 |

**Drug Control Issues to be Addressed:**
Regional efforts for the control of illicit trafficking should complement those undertaken at national level. It is therefore important to provide support to initiatives aimed at creating sub-regional or regional drug law enforcement communication and information systems, as well as sub-regional and cross-border operations between law enforcement agencies of neighboring countries.

It is proposed under this project to provide assistance to sub-regional activities aimed at the suppression of illicit trafficking through the structures put in place by ICPO-Interpol and the World Customs Organization (WCO). ICPO-Interpol has in each of the sixteen countries of the sub-region a national bureau which serves as a centralizing and liaison office for activities falling under the field of competenoe of that organization. It is planned to specialize one staff from each of these offices for the follow-up of drug-related cases in view of a continuous exchange of information, experience and knowledge between these offices.

As concerns WCO, it has established a Regional Intelligence Liaison Office (RILO), of which seven of the sixteen West African countries are members (Burkina Faso, Cape Verde, Cote d'Ivoire, Ghana, Mali, Nigeria and Senegal). Following a similar approach to the one indicated above, it is proposed to support the strengthening of the capacities of the Customs units directly involved in the work of the RILO as it pertains to drug control, with the aim of creating the basis for the effective exchange of intelligence information and the conduct of operational drug control activities between countries.

Another area of focus of the project concerns the strengthening of forensic laboratories in the sub-region. The limited functionality of most laboratories in the sub-region has been highlighted in the ECOWAS Plan of Action, and national authorities of several countries have requested the assistance of UNDCP to train laboratory personnel and up-date available equipment or provide new ones. There is also a need to foster the exchange of experience between heads of laboratories and between laboratories (the two regional reference laboratories and the national ones). Although included in a regional project, these specific activities will be undertaken following a country-by-country assessment to be conducted by UNDCP's Scientific Section.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To reduce drug trafficking in West Africa through increased sub-regional cooperation.

***Immediate Objective 1:*** Specialized units within the Police and Customs' Offices have been strengthened in view of effective exchange of information and field-level cooperation for drug trafficking interdiction in West African countries.

***Immediate Objective 2:*** The capacities of forensic laboratories in selected countries have been improved in order to increase their contribution to national and regional drug trafficking interdiction.

**Execution Modality / Counterparts:**
UNDCP / WCO and Interpol, National Law Enforcement Structures

***Estimated Budget:*** US$ 1,000,000

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| **Project Number and Title:** | AD/RAF/99/C86 - Rapid Assessment of Drug Abuse Situation for the West Africa Sub-region |
| **Sub-region / Country:** | West Africa / Cote d'Ivoire, Ghana, Nigeria, Senegal |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | 1.5 years |
| **Actual Start Date:** | April 1999 *(on-going)* |

**Drug Control Issues to be Addressed:**
Information on the drug abuse situation and existing resources that are being used to respond to demand reduction or having the potential to being able to be utilized for drug control are scanty and scattered in West Africa. States in West Africa are on the most pan reporting an increase in drug abuse in their national territories, and disenfranchised youths are cited as the most at risk age groups for drug abuse. The emergence of West African states as transit points and unstable socio-political situations are contributing factors in some states to drug abuse. The situation discerned from available data points to a diverse variety of drugs being abused as well as that drug abuse is increasing rapidly.

***Drug Control and Immediate Objective:*** Drug Control Objective: To have assessed the extent and pattern of the drug abuse situation in Cote d'Ivoire, Ghana, Nigeria and Senegal as a basis for developing a demand reduction programme.

***Immediate Objective:*** To have conducted rapid assessments in Cote d'Ivoire, Ghana, Nigeria and Senegal followed by the holding of a workshop aimed at operationalizing the findings of the Study in accordance with identified priorities.

**Execution Modality / Counterparts:**

***UNDCP / Government counterparts:*** The Inter-ministerial Committee in the four countries addressed.

***Estimated Budget:*** US$ 395,000

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| **Project Number and Title:** | AD/RAF/95/826 - Development of Assistance Programmes in West and Central Africa |
| **Sub-region / Country:** | West Africa and Central Africa |
| **Drug Control Sector:** | Inter-Sectoral |
| **Duration:** | Eighteen months initially, extended to December 2000 |
| **Status:** | On-going |

**Drug Control Issues to be Addressed:**

When the project was formulated, the countries of West and Central Africa had limited capacities to plan and implement drug control activities. The immediate priority of UNDCP was therefore to formulate national or sub-regional project/ programmes aimed at creating or strengthening national and sub-regional drug control institutions. This was achieved through the formulation and implementation of project RAF/893 *"West Africa: Development of Drug Control Structures, Human Resources and Programmes"*. The project has also been instrumental in the development/formulation of a strategy document for Africa in 1997, as well as for the formulation of the present comprehensive five-year programme for West Africa. Project funds are being used for the purpose of finalizing that Programme, and formulating its project components. A similar exercise was launched for Central Africa in April 1999.

This project and other assistance extended the countries of West Africa contributed to create a solid foundation for drug control activities, including the planning of such activities. Several countries benefitted from the financial and technical support of project RAF/893 or other UNDCP assistance in drafting national drug control strategies, while other received support from the European Union funded project AADP for the formulation of specific projects forming an action plan in view of the implementation of these drug control strategies.

Project RAF/893 has been completed by end-1998, but there is still a high demand on the part of West African countries to assist them in formulating drug control strategies. In an understanding reached with the European Union project AADP in view of strengthening cooperation and avoiding duplication, support will continue to be provided by UNDCP for the development of national strategies, and by AADP for the preparation of concrete projects to implement these strategies, until the launching of project RAF/XX5.

**Drug Control and Immediate Objective:**

***Drug Control Objective:*** To minimize drug trafficking and abuse in the sixteen member States of the West African sub-region.

***Immediate Objective:*** To enable UNDCP's Regional Office for West and Central Africa in Senegal to implement the preparation and design of two comprehensive sub-regional programmes for West and Central Africa, and to assist upon request countries in West Africa in the formulation/development of national drug control strategies

**Execution Modality / Counterparts:**
***UNDCP / Government counterparts:*** The Interministerial Drug Control Committees in West Africa

***Budget:*** US$ 197,900

## References


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- The Drug Nexus in Africa, UNDCP;
- World Drug Report, 1997;
- OGD, The World Geopolitics of Drugs 1997/1998 Annual Report
- *Rapport de Mission d'Appui Technique a la Préparation de la Réunion des Coordonnateurs des Comités Interministériels des Etats de la CEDEAO, 21 - 29 Juillet 1998, Rapport par Mamadou Lamine Fofana;*
- *Deuxième Réunion de Coordonnateurs Nationaux des Comités Interministériels de Lutte Contra la Drogue des Etats de la CEDEAO, Banjul 7- 11 Septembre 1998, Document de Travail No1 - Revue de Plan d'Action Régional et des plans Nationaux d'Action (Pays par Pays); Document de Travail No.2 - Programme Prioritaire des Objectifs et Actions a Mener 1999 - 2002;*
- OAU - Declaration and Plan of Action on Drug Abuse and Illicit Trafficking Control in Africa *(Adopted by the 32nd Ordinary Session of the Assembly of Heads of State and Government);*
- ECOWAS Regional Plan of Action Against the Abuse and Illicit Traffic of Drugs and Psychotropic Substances in West Africa 1997-2001;
- 10th Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Africa, Abuja 20-24 April, 1998: - Current Situation with respect to Regional and Sub-regional Cooperation; - Report of the 10th Meeting of Heads of National Drug Law Enforcement Agencies, Africa, held at Abuja from 20 to 24 April, 1998;
- WCO Customs and Drugs 1997;
- *"Lutte Contre le Blanchiment d'Argent"* in Walf, 4/12/98, No.2018-p.6;
- UNDP Human Development Report 1997, 1998, 1999.

## REGULATION C/REG.20/12/99 ABOLISHING QUOTA POSTS WITHIN THE INSTITUTIONS OF THE COMMUNITY

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the provisions of paragraph 5, Article 18 of the Treaty on the need to ensure equitable geographical distribution of post among nationals of all Member States;

CONSIDERING the need for the Community to secure the services of highly qualified and technically competent persons;

DESIRING to encourage deserving staff by rewarding competence, professionalism and achievement through promotions;

ON THE RECOMMENDATION of the third meeting of the ad-hoc Ministerial committee on the restructuring of the Executive Secretariat held in Lomé on 1st and 2nd December, 1999.

**ENACTS**

**Article 1**

1. All posts in the Institutions of the Community shall be non-quota posts. Consequently, the practise of allocating certain posts permanently to specific Member States is hereby abolished.

2. In appointing professional staff of the Community, the Executive Secretary shall, subject to ensuring the highest standards of efficiency and technical competence, maintain equitable geographical distribution of posts among nationals of all Member States.

**Article 2**

This Regulation shall not apply to the appointment of Statutory Appointees as provided by Article 18, Paragraph 4 of the Revised Treaty.

**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. It shall also be published by each Member State in its national gazette within the same time frame.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

## RECOMMENDATION C/REC.1/12/99 RELATING TO THE ESTABLISHMENT OF THE WEST AFRICAN POWER POOL

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Article 26 of the Revised Treaty;

MINDFUL of Decision A/DEC.3/5/82 dated 29th May, 1982 adopting the ECOWAS energy policy;

CONSIDERING that the energy sector in West Africa is one of the least developed in the world, despite the abundant energy potential in the subregion;

NOTING the unequal distribution of the energy potential between the various Member States;

CONCERNED about the continuing energy crisis in the sub-region;

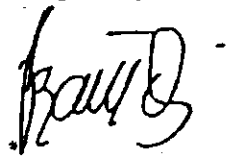
DESIRING to develop jointly the energy resources of Member States in order to enable them satisfy their development needs;

ON THE RECOMMENDATION of the first meeting of the Ministers of Energy held in Accra, Ghana on 5th November, 1999;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the decision hereto attached relating to the establishment of the West African Power Pool (WAPP).

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**



**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

## RECOMMENDATION C/REC.2/12/99 RELATING TO THE APPOINTMENT OF THE FIRM "COOPERS LYBRAND AND DIEYE" AS EXTERNAL AUDITORS OF THE INSTITUTIONS OF THE COMMUNITY

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Article 25 of the Revised Treaty relating to the appointment of the External Auditors of the Institutions of the Community ;

MINDFUL of Decision A/DEC.3/7/91 of the Authority of Heads of State and Government relating to the selection and evaluation of the performance of statutory appointees of the Community Institutions ;

CONSIDERING that the third meeting of the Ad Hoc Ministerial Committee on the restructuring of the Executive Secretariat and the selection and evaluation of statutory appointees had, after interviewing three short-listed candidates, recommended the appointment of the firm "Coopers Lybrand and Dieye".

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the attached draft Decision appointing the firm " Coopers Lybrand and Dieye" as external auditors of the institutions of the Community.

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## RECOMMENDATION C/REC.3/12/99 RELATING TO THE ALLOCATION OF THE POST OF DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION TO THE REPUBLIC OF MALI

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the Protocol establishing the West African Health Organisation (WAHO);

MINDFUL of Article IX of the said Protocol relating to the post of Deputy Directdr-General of West African Health Organisation;

MINDFUL of paragraph 4 (a), Article 18 of the Revised Treaty relating to the appointment of statutory appointees to the Institutions of the Community;

ON THE PROPOSAL of the third meeting of the Assembly of ECOWAS Health Ministers held in Lomé, Toga on 30th and 31st July, 1998;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the attached Decision allocating the post of Deputy Director-General of the West African Health Organisation to the Republic of Mali.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

## RECOMMENDATION C/REC.4/12/99 RELATING TO THE ADOPTION OF MACRO-ECONOMIC CONVERGENCE CRITERIA WITHIN THE FRAMEWORK OF THE ECOWAS MONETARY COOPERATION PROGRAMME

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision A/DEC.2/7/87 of the Authority relating to the adoption of a Monetary Cooperation Programme;

AWARE that the final objective to be achieved is the creation of a West African economic and monetary union;

RESOLVED to strive towards this objective by accelerating the regional integration process through the harmonisation of economic and financial policies of Member States

RECOGNISING the need to adopt and apply macro-economic convergence criteria in order to obtain the harmonisation of economic and financial policies;

CONVINCED that the application of macro-economic convergence criteria will facilitate the convertibility of national currencies and the creation of a single ECOWAS monetary zone;

HAVING NOTED that the macro-economic convergence criteria adopted in 1996 do not adequately meet the needs of a credible economic and monetary union;

MINDFUL of the need to set up a multilateral surveillance mechanism to ensure compliance with the economic convergence criteria within the framework of a regional growth and convergence pact;

ON THE PROPOSAL of the Twenty-sixth Session of the Committee of Governors of Central Banks held in Lomé on 3rd December, 1999;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the draft decision attached hereto, releting to the adoption of macro-economic convergence criteria within the framework of the ECOWAS Monetary Cooperation Programme.

**DONE AT LOME,**
**THIS 7th DAY OF DECEMBER, 1999.**

**ABDOUL HAMID S. B. DURODJAYE**
**CHAIRMAN**
**FOR COUNCIL.**

## RECOMMENDATION C/REC.5/12/99 RELATING TO THE STRENGTHENING OF THE PARTNERSHIP TIES BETWEEN ECOWAS AND THE EUROPEAN UNION

**THE COUNCIL OF MINISTERS,**

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

RECALLING that the European Union is the leading trading partner of ECOWAS and the major source of development assistance for ECOWAS Member States;

CONSIDERING the cooperation ties existing between ECOWAS and the European Union particularly within the framework of the European Union's programme of assistance to regional integration initiatives ;

CONVINCED that a strong partnership will provide ECOWAS with an effective support framework for its development strategies and an opportunity to benefit from the European Union's expertise and wide experience in matters relating to regional integration;

ACKNOWLEDGING the need to give fresh impetus to the ECOWAS/European Union partnership and, to this end, to formalise the existing ties between ECOWAS and the European Union ;

DESIRING more frequent consultations to review the cooperation between the two organisations and thus provide a forum for developing and implementing actions to enhance West African integration;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the draft Decision attached hereto relating to the strengthening of the partnership ties between ECOWAS and the European Union.

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## RECOMMENDATION C/REC.6/12/99 RELATING TO THE AWARD OF THE ECOWAS PRIZE FOR EXCELLENCE FOR LITERATURE

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Decision A/DEC.14/5/82 relating to the establishment of the ECOWAS Prize for Excellence ;

MINDFUL of Decision A/DEC.2/7/92 relating to the approval of the rules and regulations of the Prize for Excellence ;

MINDFUL of Decision C/DEC.5/8/99 designating members of the Jury of the Prize for Excellence for Literature;

ON THE PROPOSAL of the International Jury of the Prize for Excellence in Literature;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the draft Decision hereto attached relating to the award of the ECOWAS Prize for Excellence for Literature.

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## RECOMMENDATION C/REC.7/12/99 ON THE ESTABLISHMENT OF THE INTER-GOVERNMENT TASK FORCE AGAINST MONEY LAUNDERING IN WEST AFRICA

**THE COUNCIL OF MINISTERS;**

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

CONCERNED by the increasing use, by criminal organizations, of the economic and financial structures of Member States for the purpose of laundering criminal assets;

AWARE of the consequences, on the economic development of the member States of the region, resulting from the infiltration of their economic and financial networks by criminal organizations;

EAGER to preserve a harmonious economic development of member States and to promote international investments of legitimately acquired financial resources;

DETERMINED to implement the Political Declaration and the Regional Action Plan against money laundering adopted during the 20th Special Session of United Nations General Assembly for the control of drugs worldwide held in New York on June 10, 1998;

TAKING INTO ACCOUNT the 40 recommendations adopted by the Financial Action Task Force against money laundering adopted by the Heads of State of the seven most industrialized countries and the President of the European Commission;

CONSIDERING the need to promote and set up, within each Member State, efficient mechanisms and structures for the detection, pursuit, freezing, impounding and confiscation of assets generated from criminal activities;

AWARE that only concerted and harmonized action by Member States will contribute to achieving these objectives;

DESIROUS of establishing within the Community, a body charged with promoting the implementation by Member States, of the instruments and standards listed above, monitoring the progress accomplished toward their implementation and assessing the effectiveness of measures taken at the sub-regional and national levels;

ON THE PROPOSAL of the third meeting of the Coordinators of the inter-ministerial drug control committees in West Africa held in Dakar from 15th to 18th November, 1999;

**RECOMMENDS**

To the Authority of Heads of State and Government to adopt the attached draft decision on the establishment of an Inter-Government Task Force against money laundering in West Africa.

**DONE AT LOMÉ,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## RECOMMENDATION C/REC.8/12/99 ADOPTING THE STATUTES OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA

**THE COUNCIL OF MINISTERS,**

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

CONCERNED by the growing use of the economic and financial systems of the Member States by criminal organisations for the purpose of laundering the proceeds of criminal activity;

CONSCIOUS of the impact on the social and economic development of the Member States of the infiltration of their economic and financial systems by criminal organisations;

ANXIOUS to maintain the harmonious economic development of the Member States and attract legitimate international investment capital;

DETERMINED to apply the Policy Declaration and Plan of Action against Money Laundering adopted at the extraordinary session of the United Nations General Assembly devoted to the control of the global drug problem which was held in New York on 10th June, 1998;

TAKING NOTE of the 40 recommendations adopted by the Financial Action Group to combat capital laundering set up by the Heads of State of the seven most industrialised countries and the President of the European Commission.

CONSIDERING the need to establish in each Member State effective mechanisms and structures for the detection, pursuit, freezing, seizure and confiscation of the proceeds of criminal activity;

CONSIDERING that only concerted and harmonised action on the part of the Member States will enable these objectives to be attained;

DESIROUS of establishing within ECOWAS, a structure to promote the application of the instruments and standards by Member States, monitor their implementation status, evaluate the effectiveness of the measures adopted at the sub-regional and national levels and adopt operational guidelines for the said structure.

ON THE PROPOSAL of the 3rd meeting of coordinators of the inter-ministerial committees on drug control in West Africa held in Dakar from 15th to 18th November, 1999.

**RECOMMENDS**

To the Authority of Heads of State and Government, to adopt the draft decision attached hereto relating to the statutes of the Inter-Governmental Action Group against Money Laundering in West Africa.

**DONE AT LOME,**
**THIS 7TH DAY OF DECEMBER 1999**

**ABDOUL HAMID S.B. TIDJANI-DOURODJAYE**
**CHAIRMAN**
**FOR COUNCIL**

## FINAL COMMUNIQUE

## TWENTY-SECOND ORDINARY SESSION THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

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**LOME, DECEMBER 1999**

1. The Authority of Heads of State and Government of the Economic Community of West African States held its twenty-second ordinary session in Lome, Togolese Republic, on 9th and 10th December, 1999. The meeting was chaired by His Excellency GNASSINGBÉ Eyadema, President of the Togolese Republic, current Chairman of the ECOWAS Authority of Heads of State and Government.

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;
   - His Excellency Blaise COMPAORE, President of Faso, Chairman, Council of Ministers of Burkina Faso;
   - His Excellency Henri Konan BEDIE, President of the Republic of Côte d'Ivoire;
   - His Excellency Flight-Lieutenant Jerry John RAWLINGS, President of the Republic of Ghana;
   - His Excellency Alpha Oumar KONARE, President of the Republic of Mali;
   - His Excellency Squadron Leader Daouda Malam WANKE, President of the Council for National Reconciliation, Head of State of the Republic of Niger;
   - His Excellency Chief Olusegun OBASANJO, President of the Federal Republic of Nigeria;
   - His Excellency Abdou DIOUF, President of the Republic of Senegal;
   - His Excellency Alhaji Dr. Ahmad Tejan KABBAH, President of the Republic of Sierra Leone;
   - His Excellency Gnassingbe EYADEMA, President of the Togolese Republic;
   - Honourable Mrs. Isatou NJIE-SAIDY, Vice-President, Secretary of State for Health, Labour, Social and Women's Affairs, representing the President of the Republic of The Gambia;
   - Honourable Enoch DOGOLEAH, Vice-President, representing the President of the Republic of Liberia;
   - Honourable Alexandre dias MONTEIRO, Minister of Commerce, Industry and Energy, representing the Prime Minister of the Republic of Cape Verde;
   - Honourable Zaïnoul Abidin SANOUSSI Minister of Foreign Affairs at the Presidency, representing the President of the Republic of Guinea;
   - Honourable José Pereira BATISTA, Minister of Foreign Affairs and International Cooperation, representing the President of the Republic of Guinea-Bissau;
   - Honourable Sidi Mohamed Ould BOUBACAR, Minister, Secretary-General at the Presidency, representing the President of the Islamic Republic of Mauritania.

3. The following personalities also attended the twenty-second session:

   - His Excellency Dr. K.Y. AMOAKO, Executive Secretary of the United Nations Economic Commission for Africa, (ECA);
   - General Louis SYLVAIN-GOMA, Secretary-General of the Economic Community of Central Africa (CEAC);
   - His Excellency Ambassador Lawrence AGUBUZU, Representing the Secretary-General of the Organisation of African Unity (OAU);

- Professor Ibrahima FALL, Assistant Secretary-General for Political Affairs, representing the Secretary-General of the United Nations;
- Mr. Koli Kouame, Representing the Secretary-General of the United Nations International Drug Control Programme (UNDCP);
- Mrs. Leopldine KOFFI, President of the West African Women's Association (WAWA);
- Mr Ahmed SRIKAH, Head, Political Affairs and Information, representing the Secretary General of the Arab Maghreb Union (AMU).

## I. FOLLOW-UP TO OAU EXTRAORDINARY SUMMIT

4. ECOWAS Heads of State and Government expressed satisfaction at the extremely positive outcome of the extraordinary OAU summit held in Syrte, Libyan Arab Jamahiriya, on the establishment of an African Union.

5. They resolved to take every measure necessary to realise the objectives of the African union within the prescribed period.

6. ECOWAS Heads of State and Government expressed the view that the union would constitute an appropriate response to the great challenge which globalisation poses to Africa, inasmuch as only big regional economic integration blocs would be able to win the economic war which has already begun and which will intensify in the future.

## II. CONSOLIDATION OF DEMOCRACY IN WEST AFRICA

7. Referring to the ECOWAS declaration of political principles, Heads of State praised the installation of a democratically elected government in Nigeria as a major political event which portends renewed hope for peace, security, stability and development in the region. They commended His Excellency, Chief Olusegun Obasanjo, for his determined stance towards the attainment of economic growth and development in Nigeria, which is certain to impact favourably on the overall economic performance of West Africa.

8. Heads of State also warmly congratulated the government of Niger on the successful organisation of free, fair and transparent elections which will allow the country to return to the path of democracy.

9. Heads of State also welcomed the election of Mr. Mamadou TANDJA as President-elect of the Republic of Niger, and wished him a successful tenure in office; they expressed their wishes for happiness for the people of Niger. They appealed to the international community to lend every assistance to Niger in its economic recovery.

10. Heads of State and Government commended the return to normal constitutional rule in Guinea-Bissau. They appealed to the international community to provide the country with the assistance its needs to overcome the consequences of the long political crises from which it has just emerged.

## III. STRATEGY TO ACCELERATE THE REGIONAL INTEGRATION PROCESS IN WEST AFRICA

11. Heads of State expressed concern at the continuing economic crisis which is adversely affecting the sub-region, despite the fact that some macro-economic indicators have improved in most countries.

12. Considering the development problems that West Africa has to overcome in order to meet the challenges of globalisation, Heads of State reaffirmed their political will to work towards strengthening ECOWAS and implementing Community programmes, in order to promote the growth and sustainable development of West African economies.

13. To this end, they endorsed the strategy to accelerate the integration process in ECOWAS, with a view to establishing a single regional market in West Africa based on trade liberalisation, the establishment of a common external tariff, and the harmonisation of the economic and financial policies of Member States.

14. The Heads of State issued an urgent appeal to external development partners to provide every necessary support to ECOWAS for the implementation of this important programme.

15. Heads of State stressed the need to coordinate

the integration programmes of ECOWAS and UEMOA. In this connection, they urged the ECOWAS Executive Secretary and the President of the UEMOA Commission to intensify the existing cooperation ties between the two institutions, with a view to avoiding overlapping and duplication of efforts in the implementation of Community programmes.

16. Heads of State and Government expressed their appreciation of the remarkable speech delivered by His Excellency, President Olusegun Obasanjo, and decided to adopt it as one of their working documents at this current session.

17. The Authority noted with satisfaction the undertaking by the President of the Federal Republic of Nigeria to abolish all tariff and non-tariff barriers to regional trade and to remove all check points along international highways, with a view to establishing a free trade zone with neighbouring States.

18. All Member States were requested to emulate this laudable example in order to accelerate the implementation of priority ECOWAS programmes. Heads of State acknowledged the need to adopt an approach to integration whereby States could proceed at their own pace. They approved the proposal made by President Obasanjo whereby any group of States from the Community can take concrete and pragmatic steps to accelerate their integration.

## IV. MONETARY COOPERATION PROGRAMME

19. Heads of State underlined the need to deepen the process of convergence of macro-economic performance of Member States in order to enhance the credibility of the single monetary zone to be established within the sub-region. To this end, they adopted a set of primary and secondary macro-economic convergence criteria. They however decided to set a ceiling of 5% for inflation while external reserves should be equal to 6 months of imports of goods and services. All Member States are expected to meet these convergence criteria by the year 2003, and the single monetary zone is expected to become effective on the 1st of January 2004, by which time the policy convergence will have been fully achieved.

20. To facilitate the realisation of the convergence programme, Heads of State also endorsed the organs of the multilateral surveillance mechanism for economic and financial policies.

## V. FOOD SECURITY

21. In recognition of the importance of agriculture to the socio-economic development of ECOWAS Member States, the Authority directed the Executive Secretary to expedite action on the preparation of an appropriate framework for regional food security that would be more suitable for the sub-region. It was decided that a conference of ECOWAS Ministers of Agriculture should be convened to give detailed consideration to the agricultural development strategy to be formulated.

## VI. FREE MOVEMENT OF PERSONS AND GOODS

22. Heads of State noted the continued existence of numerous illegal road blocks along West African highways, which impede free movement of persons and the development of intra-Community trade.

23. They appealed to all Member States to take necessary measures to dismantle these road blocks. The Authority decided to establish a permanent Community surveillance system to monitor such road blocks, and investigate ways of ramoving them. The Secretariat should study the issue, with a view to defining practical modalities for achieving this objective.

## VII. FINANCIAL SITUATION OF COMMUNITY INSTITUTIONS

24. The Authority expressed deep concern at the huge amount of arrears of contributions owed by Member States to the Community Institutions. The ECOWAS Heads of State noted that the speedy implementation of the Community levy would provide a lasting solution to the problem posed by the accumulation of arrears. Consequently, they commended Member States which have already ratified the Protocol on the Community levy, and called on the other States to do so without further delay.

## VIII. RESTRUCTURING OF THE COMMUNITY INSTITUTIONS

25. As part of measures to strengthen the operational activities of the Community, Heads of State and

Government approved the restructuring of the Executive Secretariat and the transformation of the ECOWAS Fund for Cooperation, Compensation and Development into a holding company to be known as ECOWAS Investment and Development Bank, with two subsidiaries (ECOWAS Regional Investment Bank and ECOWAS Regional Development Fund).

## IX. APPOINTMENT OF STATUTORY APPOINTEES

26. The Authority called on Heads of State and Government to respond before 31st January, 2000 to the letter sent to them by current Chairman concerning the appointment of the statutory appointees.

## X. COMMUNITY COURT OF JUSTICE AND PARLIAMENT

27. Heads of State and Government approved the setting up of the Community Court of Justice. They decided to consult further among themselves on the country to host the headquarters of the Court. They directed the Executive Secretary to take the necessary measures to appoint its judges, in accordance with the provisions of the ECOWAS Treaty.

28. Heads of State and Government also directed the Executive Secretary to take the necessary steps to ensure that the Community Parliament is put in place within the shortest possible time.

## XI. CONSOLIDATION OF PEACE IN THE SUB-REGION

### i) Sierra Leone

29. The Authority expressed satisfaction at the signing of the Lome Peace Agreement by President Ahmad Tejan Kabbah and Corporal Foday Sankoh and its implementation, which has helped to move the peace process forward in Sierra Leone. Heads of State urged the major actors to continue working together for lasting peace in the country. They were urged to encourage the rebels to surrender their arms so that all efforts can be geared towards accelerating the implementation of the disarmament, demobilisation and rehabilitation (DDR) programme.

30. Concerning the situation in Sierra Leone, Heads of State welcomed the decision of the United Nations to deploy a keeping force (UNAMSIL) to that country, and appealed to the international community to provide the necessary assistance to ECOWAS Member States to enable them participate actively in the ECOMOG peacekeeping operations in Sierra Leone. They noted with satisfaction the promise of assistance to Mali made by the government of the Netherlands towards its participation in the operation.

### ii) Liberia/Guinea

31. Heads of State and Government recommended the immediate implementation of the measures adopted at the extraordinary summit held in Abuja on 16th September, 1999 to reduce the tension between Liberia and Guinea. They directed the Executive Secretary to convene a meeting of Ministers from Liberia, Sierra Leone and Guinea to ensure the implementation of the decisions of the Ad Hoc Committee of Heads of State.

## XII. MECHANISM FOR CONFLICT PREVENTION, MANAGEMENT AND RESOLUTION, PEACE AND SECURITY

32. Heads of State reiterated their resolve to establish the mechanism for conflict prevention, management and resolution, peacekeeping and security for increased cooperation in this area. They therefore approved the relevant draft protocol and designated the following as Member States of the Security and Mediation Council envisaged in the Mechanism:

- Benin;
- Cote d'Ivoire;
- Gambia;
- Ghana;
- Guinea;
- Liberia;
- Mali (Chairman);
- Nigeria;
- Senegal;
- Togo.

33. Heads of State and Government stated the need for vigorous action against the proliferation and illegal circulation of light weapons, and against transborder crime, particularly drug trafficking and money laundering. They therefore adopted a protocol relating to the mechanism and the decisions relating to the control of money laundering.

34. Heads of State and Government called on all Member States which are expected to host the zonal observation bureaux, namely, Benin, Burkina Faso, The Gambia and Liberia, to take all necessary measures to ensure that the zonal bureaux become operational as soon as possible.

35. Heads of State and Government expressed their gratitude to the European Union for the financial assistance granted to ECOWAS for the establishment of the mechanism for conflict prevention, management, resolution, and peacekeeping.

36. With regard to the establishment of a Council of Elders, the Authority called on Member States to communicate the list of persons who could be appointed as members to the Executive Secretariat by 31st January, 2000, to enable the effective establishment of the Council.

## XIII. MORATORIUM ON THE IMPORTATION, EXPORTATION AND MANUFACTURE OF LIGHT WEAPONS

37. Heads of State and Government congratulated His Excellency Charles Ghankay Taylor, President of the Republic of Liberia for having carried out the destruction of seized arms in his country.

38. Heads of State and Government expressed satisfaction at the progress made with regard to the implementation of the programme in some Member States. They took a decision to accelerate the establishment of the national commissions envisaged within the moratorium.

39. Heads of State and Government directed the Executive Secretary to take all necessary measures to implement the different aspects of the action plan adopted under the Moratorium.

40. Heads of State and Government expressed support for the organisation in Mali, in 2000, of the non-governmental organisations (NGOs) Ministerial Conference on the control of illicit proliferation of light weapons, as decided by the 35th Conference of Heads of State and Government of the OAU held in Algiers from 8th to 10th July 1999.

## XIV EUROPEAN UNION/ACP NEGOTIATIONS

41. ECOWAS Heads of State and Government welcomed the progress made with regard to the renewal of the Lome Convention. They commended the ECOWAS Executive Secretariat for its role in coordinating the different positions of the ECOWAS Member States.

42. Heads of State reaffirmed their resolve to remain united in view of the changes which might emerge in EU/ACP relations at the end of the 8-year transition period agreed recently during negotiations between the two parties.

43. The Authority acknowledged ECOWAS as the most appropriate framework for coordination of relations between West Africa and the European Union. The Chairman of the Authority was requested by his peers to take measures he may consider necessary to ensure this coordination.

## XV. APPEAL TO THE EUROPEAN UNION

44. The Authority issued an urgent appeal to the European Union to lift the sanctions against the Togolese Republic. It was stated that these sanctions have seriously affected the Togolese economy and have increased poverty, retarded economic growth and weakened the country's capacity for sustainable development.

45. The Authority expressed its conviction that the lifting of the sanctions in the shortest possible time will serve the cause of democracy, human rights, social justice and sustainable development in Togo.

## XVI ECOWAS ANTHEM

46. Heads of State and Government listened to a rendition of the ECOWAS anthem and expressed satisfaction with the composers. They requested the Executive Secretariat to forward a recording of the anthem to them for a better appreciation of the composition.

## XVII. ECOWAS PRIZE FOR EXCELLENCE

47. The Authority of Heads of State and Government instituted the Prize for Excellence which is awarded every two years to an institution which distinguishes itself or to a person who excels in science, culture and agriculture. The Prize for 1999 is awarded for Literature. The Authority

awarded the ECOWAS Prize for Excellence for Literature to the two winners:

- Mr. Thierry AKPO, from Senegal, for his novel "La ligne continue";

- Mr. Mohammed SHERIF, from Sierra Leone, for his novel "Secret Fear"

## XVII PROMOTION OF YOUTH ACTIVITIES

48. Heads of State and Government recalled the importance the Community attaches to the development of the potential of the youth. In order to strengthen the activities being pursued at the regional level to promote the development of the youth, the Authority directed the Executive Secretariat to provide assistance to the West African Youth Union under the same conditions as already extended to the West African Women's Association.

## XIX. DEVELOPMENT OF INFORMATION FACILITIES IN THE REGION

49. Heads of State and Government directed the Executive Secretary to establish the necessary contact with the promoters of satellite television, LC 2, located in Cotonou, with a view to studying the modalities for broadcasting throughout the ECOWAS region.

50. In recognition of the positive role which women play in integration, the Authority directed the Secretariat to study ways of increasing the allowances paid to WAWA.

## XX. ELECTION OF CHAIRMAN

51. Heads of State and Government unanimously confirmed the choice of the Republic of Mali as the next Chairman of the Community, for 1999 - 2000.

## XXI. DATE AND VENUE OF NEXT SUMMIT

52. At the invitation of His Excellency Alpha Oumar KONARE, President of the Republic of Mali, the Authority agreed that its twenty-third ordinary session be held in Bamako in December 2000.

## XXII. VOTE OF THANKS

53. Heads of State and Government expressed their profound gratitude to the outgoing Chairman, His Excellency Gnassingbe EYADEMA, President of the Togolese Republic, for his exemplary leadership role in the promotion of West African integration. They were particularly grateful for the brotherly welcome extended to them and for the excellent facilities provided during their stay in Togo. The Authority expressed special thanks to President Eyadema for his personal involvement in the search for regional peace and security, and for his efforts at strengthening the Community as a whole. Heads of State commended him for the initiatives he took recently to enhance democracy in his country which he has always served with devotion worthy of praise.

**DONE AT LOME,**
**THIS 10TH DAY OF DECEMBER, 1999.**