

# Official Journal

Vol. 13

of the Economic Community  
of West African States (ECOWAS)

JULY 1988

English edition

## PROTOCOLS, DECISIONS, RESOLUTION AND DIRECTIVE

CONTENTS:	PAGE
<b>1. PROTOCOL AND SUPPLEMENTARY PROTOCOL</b>	
(i) Supplementary protocol amending Articles 4 and 9 of the Treaty establishing the Economic Community of West African States relating to the Institutions of the Community and its technical and specialised commission respectively	3
(ii) Supplementary protocol amending Article 53 of the Treaty of the Economic Community of West African States on the budget of the Community.	5
<b>2. DECISIONS</b>	
<b>(a) OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT</b>	
(i) Decision of the Authority of Heads of State and Government completing the provisions of Decision A/DEC. 7/7/87 to the Capital structure of the ECOWAS Fund.	7
(ii) Decision of the Authority of Heads of State and Government relating to the Study on enhancing the Financial Resources of the ECOWAS Fund.	8
(iii) Decision of the Authority of Heads of State and Government relating to Financing of extra works in respect of the construction of the Headquarters of the ECOWAS Fund in Lome.	9
(iv) Decision of the Authority of Heads of State and Government relating to the Renewal of the mandate of the External Auditors of the Community	9
<b>(b) OF THE COUNCIL OF MINISTERS</b>	
(i) Decision of the Council of Ministers on the adoption of the feasibility studies on the production centres for selected breeding stocks of the Bovine species.	10
(ii) Decision of the Council of Ministers on selected seed multiplication centres Zaria (Nigeria), Bouake (Cote d'Ivoire), Molodo (Mali), Rokupr (Sierra Leone)	10

(iii)	Decision of the Council of Ministers defining the procedures for approval of industrial products and enterprises to benefit from the ECOWAS Trade Liberalisation Scheme.	11
(iv)	Decision of the Council of Ministers relating to the contribution assessment formula for the distribution of the authorised capital of the ECOWAS Fund.	20
(v)	Decision of the Council of Ministers relating to the terms and conditions for the paying-up of the second tranche of the called-up capital and for the callable capital of the ECOWAS Fund.	21
(vi)	Decision of the Council of Ministers relating to the cooperation agreement between the West African Development Bank (BOAD) and the Fund for Cooperation, Compensation and Development of the Economic Community of West African States.	22
(vii)	Decision of Council of Ministers relating to the Cooperation agreement between The African Development Bank (ADB) The African Development Fund (ADF) The Fund for Cooperation, Compensation and Development of The Economic Community of West African States.	22
(viii)	Decision of Council of Ministers relating to the Renewal of Appointment of the Managing Director of the ECOWAS Fund.	23
<b>3.</b>	<b>RESOLUTION</b>	
(a)	<b>OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT</b>	
	Resolution of the Authority of Heads of State and Government relating to the Dumping of Nuclear and Industrial Waste.	23
(b)	<b>OF THE COUNCIL OF MINISTERS</b>	
(i)	Resolution of the Council of Ministers on the amendment of Articles 4 and 9 of the ECOWAS Treaty relating to the Institutions of the Community and its Technical and Specialised Commissions respectively.	24
(ii)	Resolution of the Council of Ministers on the amendment of Article 53 of the ECOWAS Treaty relating to the Budget of the Community.	24
(iii)	Resolution of the Council of Ministers completing the provisions of Resolution C/RES. 9/7/87 relating to the Capital Structure of the ECOWAS Fund.	25
(iv)	Resolution of the Council of Ministers relating to the study on enhancing the Financial Resources of the ECOWAS Fund.	25

## 1. PROTOCOL AND SUPPLEMENTARY PROTOCOL

A/SP 1/6/88 SUPPLEMENTARY PROTOCOL AMENDING ARTICLES 4 AND 9 OF THE TREATY ESTABLISHING THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES RELATING TO THE INSTITUTIONS OF THE COMMUNITY AND ITS TECHNICAL AND SPECIALISED COMMISSION RESPECTIVELY.

### THE HIGH CONTRACTING PARTIES

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

MINDFUL of Article 4 of the said Treaty establishing the Institutions of the Community as amended by Supplementary Protocol A/SP 2/5/81 dated 29 May, 1981;

CONSIDERING that the above-mentioned Articles provides for the establishment, by the Authority of Heads of State and Government, of Commissions or bodies other than those provided for by this Article;

CONVINCED of the need to establish a body whose duty shall be to examine all administrative and financial matters concerning the Community, and make recommendations capable of contributing technically to the proper management of Community Institutions;

DESIROUS of signing a Supplementary Protocol amending Article 4 paragraph 1(f) and Article 9 paragraph 1 of the Treaty establishing the Economic Community of West African States,

AGREE AS FOLLOWS:

#### Article 1

##### INSTITUTIONS

Article 4 paragraph 1(f) of the Treaty establishing the Economic Community of West African States is hereby amended and supplemented as follows:

Amended version of Article 4 paragraph 1(f)

"The following Technical and Specialised Commissions

- The Trade, Customs Immigration, Money and Payments Commission;
- The Industry, Agriculture and Natural Resources Commission;
- The Transport, Communications and Energy Commission;
- The Social Cultural Affairs Commission
- The Defence Commission;
- The Administration and Finance Commission;

and such other Commissions or bodies as may be established by the Authority of Heads of State and Government or are established or provided for by this Treaty .

#### Article 2

##### TECHNICAL AND SPECIALISED COMMISSION — ESTABLISHMENT, COMPOSITION AND FUNCTIONS

Article 9 paragraph 1 of the Treaty establishing the Economic Community of West African States is hereby amended and supplemented as follows:

Amended version of Article 9 paragraph 1

"There shall be established the following Commissions:

- a) The Trade, Customs, Immigration, Money and Payments Commission;
- b) The Industry, Agriculture and Natural Resources Commission;
- c) The Transport Communications and Energy Commission;
- d) The Social and Cultural Affairs Commission;
- e) The Defence Commission;
- f) The Administration and Finance Commission.

#### Article 3

##### DEPOSIT AND ENTRY INTO FORCE

1. This Supplementary Protocol shall enter into force provisionally upon signature by the Heads of State and Government of Member States and definitively upon ratification by at least seven signatory States in accordance with the constitutional procedures applicable for each Member State.

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

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

In faith whereof, We the Heads of State and Government of the Economic Community of West African States have signed this Supplementary Protocol.

DONE AT LOME, THIS 25TH DAY OF JUNE, 1988 IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

.....  
 H. E. GENERAL MATHIEU KEREKOU  
 Chairman of the Central Committee of the People's Revolutionary Party of BENIN President of the Republic, Head of State, Chairman of the National Executive Council People's Republic of BENIN

.....  
 H. E. CAPTAIN BLAISE COMPAORE  
 President of the Popular Front, Head of State, Head of Government BURKINA FASO

H. E. MR. ARISTIDES MARIA PEREIRA  
President of the Republic of CABO VERDE

H. E. MR. FELIX HOUPHOUET - BOIGNY  
President of the Republic of COTE D'IVOIRE

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

H. E. FLIGHT - LIEUTENANT JERRY RAWLINGS,  
Chairman, Provisional National Defence Council, Head of  
State of the Republic of GHANA

HONOURABLE EDOUARD BENJAMIN  
Minister of Planning and International Co-operation For  
and on Behalf of the President of the Republic of GUINEA

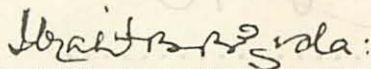
H. E. GENERAL de VIVISAO JOAO. BERNARDO  
VIEIRA  
President of the Republic of GUINEA BISSAO

H. E. DR. SAMUEL KENYON DOE  
President of the Republic of LIBERIA

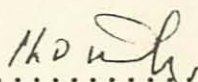
H. E. GENERAL MOUSSA TRAORE,  
General Secretary of the Malian People's Democratic  
Union, President of the Republic of MALI

H. E. COLONEL MAOUIYA OULD SID AHMED TAYA  
Chairman of the Military Committee for National Salva-  
tion, Head of State of the Islamic Republic of MAURI-  
TANIA

H. E. COLONEL ALI SAIBOU  
Chairman of the Supreme Military Council, Head of State  
of the Republic of NIGER



H. E. GENERAL IBRAHIM BADAMASI  
BABANGIDA,  
President, Commander-in-Chief of the Armed Forces of  
the Federal Republic of NIGERIA



H. E. MAJOR - GENERAL DR. JOSEPH SAIDU MOMOH,  
President of the Republic of SIERRA LEONE

**A/SP 2/6/88 SUPPLEMENTARY PROTOCOL AMENDING ARTICLE 53 OF THE TREATY OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES ON THE BUDGET OF THE COMMUNITY.**

**THE HIGH CONTRACTING PARTIES,**

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

MINDFUL of the provisions of Article 4 paragraph 1(f) and Article 9 of the said Treaty relating to Institutions of the Community and Technical and Specialised Commissions respectively, as amended by Supplementary Protocol A/SP.1/6/88 of 25 June 1988;

CONSIDERING that the role of the Administration and Finance Commission, as stipulated by the provisions of the above-mentioned Supplementary Protocol, is to examine all administrative and financial matters concerning the Community, and that therefore, the provisions of Article 53 of the Treaty on the Budget of the Community need to be amended in order to define the functions of such a body;

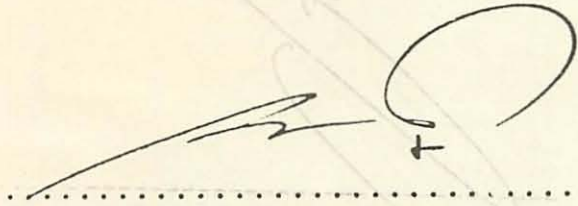
DESIROUS of signing a Supplementary Protocol amending the provisions of Article 53 of the Treaty of the Economic Community of West African States on the Budget of the Community;

HAVE AGREED AS FOLLOWS:

**Article 1**

**Budget of the Community**

Article 53 of the Treaty of the Economic Community of West African States is hereby amended as follows:



H. E. MR. ABDOU DIOUF  
President of the Republic of SENEGAL



H. E. GENERAL GNASSINGBE EYADEMA  
Founder - Chairman of the Togolese People's Rally,  
President of the TOGOLESE Republic

**Article 53 new Paragraph 7**

"The Administration and Finance Commission shall consider the draft budget of the Community as well as all administrative and financial matters of the Community institutions and shall submit recommendations on this subject to the Council of Ministers"

**Article 2**

**Deposit and Entry into Force**

1. This Supplementary Protocol shall enter into force provisionally upon signature by the Heads of State and Government of Member States and definitively upon ratification by at least seven signatory States in accordance with the constitutional procedures applicable for each Member State.
2. This Supplementary Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies of the Protocol to all Member States and notify them of the dates of deposits of the instruments of ratification and shall register this Supplementary Protocol with the Organisation of African Unity, the United Nations Organisation and such other organisations as the Council of Ministers shall determine.

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

In faith whereof, We the Heads of State and Government of the Economic Community of West African States, have signed this Supplementary Protocol.

DONE AT LOME, THIS 25TH DAY OF JUNE, 1988 IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

H.E. GENERAL MATHIEU KEREKOU  
Chairman of the Central Committee of the People's Revolutionary Party of BENIN President of the Republic, Head of State, Chairman of the National Executive Council People's Republic of BENIN

H. E. CAPTAIN BLAISE COMPAORE  
President of the Popular Front, Head of State, Head of Government BURKINA FASO

H.E. MR. ARISTIDES MARIA PEREIRA  
President of the Republic of CABO VERDE

H. E. MR. FELIX HOUPHOUET - BOIGNY  
President of the Republic of COTE D'IVOIRE

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

H. E. FLIGHT - LIEUTENANT JERRY RAWLINGS,  
Chairman, Provisional National Defence Council, Head of State of the Republic of GHANA

HONOURABLE EDOUARD BENJAMIN  
Minister of Planning and International Co - operation For and on Behalf of the President of the Republic of GUINEA

H. E. GENERAL de VIVISAO JOAO. BERNARDO VIEIRA  
President of the Republic of GUINEA BISSAO

H. E. DR. SAMUEL KENYON DOE  
President of the Republic of LIBERIA

H. E. GENERAL MOUSSA TRAORE,  
General Secretary of the Malian People's Democratic Union, President of the Republic of MALI.

H. E. COLONEL MAOUIYA OULD SID AHMED TAYA  
Chairman of the Military Committee for National Salvation, Head of State of the Islamic Republic of MAURITANIA

H. E. COLONEL ALI SAIBOU  
Chairman of the Supreme Military Council, Head of State of the Republic of NIGER

H. E. GENERAL IBRAHIM BADAMASI BABANGIDA,  
President, Commander-in-Chief of the Armed Forces of the Federal Republic of NIGERIA

H. E. MR. ABDOU DIOUF  
President of the Republic of SENEGAL

H. E. MAJOR - GENERAL DR. JOSEPH SAIDU MOMOH,  
President of the Republic of SIERRA LEONE

H. E. GENERAL GNASSINGBE EYADEMA  
Founder - Chairman of the Togolese People's Rally, President of the TOGOLESE Republic

2. DECISIONS

a. OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

DECISION A/DEC. 1/6/88 COMPLETING THE PROVISIONS OF DECISION A/DEC. 7/7/87 RELATING TO THE CAPITAL STRUCTURE OF THE ECOWAS FUND

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

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

MINDFUL of Article 3 paragraph 1(a) of the Protocol relating to the ECOWAS Fund, defining its ordinary capital resources as including its authorised capital:

MINDFUL of Article 6 paragraphs 1 and 2 of the Protocol relating to the ECOWAS Fund, authorising the Council of Ministers to determine the terms and conditions for the paying-up of the capital;

MINDFUL of its Decision A/DEC. 7/7/87 of 9 July 1987 relating to the capital structure of the ECOWAS Fund;

CONSCIOUS of the importance of the role of the ECOWAS Fund in the mobilisation of necessary resources for the implementation of the ECOWAS Economic Recovery Programme;

CONSIDERING Resolution C/RES. 3/6/88 of the Twenty-Third Session of the Council of Ministers held in Lome from 18 to 21 June 1988 highlighting the need to complete the provisions of Decision A/DEC. 7/7/87 above;

D E C I D E S

Article 1

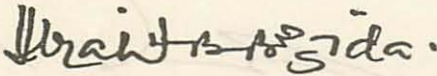
The Capital structure of the ECOWAS Fund shall be as follows:

- 1.1 The authorised capital of the ECOWAS Fund is fixed at five hundred million United States dollars (US \$500,000,000) and has been fully subscribed by the Member States of ECOWAS
- 1.2. The authorised capital consists of a called-up portion corresponding to one hundred million United States Dollars (US \$100,000,000) and a callable portion amounting to four hundred million United States Dollars (US \$400,000,000)
- 1.3. The called-up capital shall at all times be equivalent to twenty percent (20%) of the authorised capital.
- 1.4. The callable capital shall serve as guarantee for borrowings contracted and loans granted by the ECOWAS Fund.

**Article 2**

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

DONE AT LOME THIS 25TH DAY OF JUNE 1988



H. E. GENERAL IBRAHIM BADAMASI BABANGIDA  
CHAIRMAN

FOR THE AUTHORITY

**DECISION A/DEC. 2/6/88 RELATING TO THE STUDY ON ENHANCING THE FINANCIAL RESOURCES OF THE ECOWAS FUND**

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

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

MINDFUL of the purpose of the ECOWAS Fund as set out in Article 2 of the Protocol relating to the ECOWAS Fund;

CONSCIOUS of the demands on the resources of the ECOWAS Fund;

NOTING that the internal resources of the ECOWAS Fund are rapidly declining;

NOTING further that there are considerable reserves of surplus funds outside the ECOWAS Sub-region;

MINDFUL of Decision N<sup>o</sup>C/DEC. 9/7/87 of the Council of Ministers relating to the Study on Enhancing the Financial Resources of the ECOWAS Fund;

RECALLING that in the Final Communique of the Authority of Heads of State and Government held in Abuja from 7 to 9 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 Resolution C/RES.4/6/88 dated 21 June 1988 of the Council of Ministers relating to the Study on Enhancing the Financial Resources of the ECOWAS Fund;

**DECIDES****Article 1**

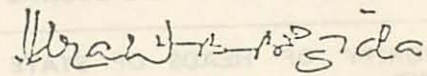
The principle of Enhancing the Financial Resources of the ECOWAS Fund, especially by the opening-up of its capital to non-regional members, is accepted subject to the following:

- i) an examination of alternative options for the distribution of equity capital between regional members and non-regional members while maintaining the regional character of the ECOWAS Fund;
- ii) a study of modalities for the transfer of shares between Member States as well as an arrangement for the transfer of shares from future non-regional members to Member States;
- iii) a formulation of measures to ensure the proper balance between the political and the financial objectives of the Community within the context of the restructured ECOWAS Fund;
- iv) an identification of a number of guidelines to safeguard the regional character of the ECOWAS Fund and the Community objective of sub-regional integration;
- v) the continued administration by the ECOWAS Fund of the resources of any special facilities, including compensation, in accordance with Article 4 of the ECOWAS Fund Protocol;
- vii) an examination, during the implementation period, of the possibility of non-governmental regional subscribers participating in the restructured ECOWAS Fund.

**Article 2**

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

DONE AT LOME THIS 25TH DAY OF JUNE 1988



H. E. GENERAL IBRAHIM BADAMASI BABANGIDA  
CHAIRMAN

FOR THE AUTHORITY



**DECISION A/DEC 3/6/88 RELATING TO FINANCING OF EXTRA WORKS IN RESPECT OF THE CONSTRUCTION OF THE HEADQUARTERS OF THE ECOWAS FUND IN LOME.**

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

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

CONSIDERING its Decision N<sup>o</sup> A/DEC. 17/5/82 relating to the construction of the Headquarters of the Institutions of the Community,

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

CONSIDERING the report of the meeting of the Twenty-Third Session of the Council of Ministers of 18 to 21 June 1988,

**DECIDES:**

**Article 1**

The Managing Director of the ECOWAS Fund is authorised to undertake in respect of the ECOWAS Fund Headquarters, extra works at the cost of eighty-one million nine hundred and twelve thousand four hundred and seventy five CFA francs (CFAF 81,912,475) made up as follows:

a)	marble works	CFAF	15,824,875
b)	glass works	CFAF	41 598,600
c)	conference hall	CFAF	15,000,000
d)	fire protection doors	CFAF	8,049,000
e)	excavation in water	CFAF	1 440 000

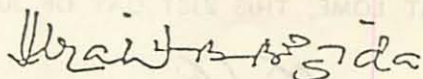
**Article 2**

The total cost of the ECOWAS Fund Headquarters, excluding the cost of furnishing shall be five billion eighty-one million nine hundred and twelve thousand four hundred and seventy five CFA francs (CFAF 5,081,912 475).

**Article 3**

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

DONE AT LOME THIS 25TH DAY OF JUNE 1988



H.E. GENERAL IBRAHIM BADAMASI BABANGIDA

CHAIRMAN

FOR THE AUTHORITY

**DECISION A/DEC. 4/6/88 RELATING TO THE RENEWAL OF THE MANDATE OF THE EXTERNAL AUDITORS OF THE COMMUNITY**

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

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

MINDFUL of Decision A/DEC. 1/7/86 of the Authority relating to the appointment of the firm of HAIBA and Company as External Auditors of the Community;

CONSIDERING the recommendation of the Council of Ministers at its 23rd Session held in Lome from 18 to 21 1988;

**DECIDES**

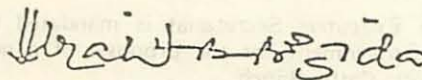
**Article 1**

The Mandate of the firm of HAIBA and Company as External Auditors of the Economic Community of West African States is hereby renewed for another period of two (2) years with effect from 1st January 1989.

**Article 2**

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

DONE AT LOME, THIS 25TH DAY OF JUNE 1988.



H. E. GENERAL IBRAHIM BADAMASI BABANGIDA

CHAIRMAN

FOR THE AUTHORITY

## b. OF THE COUNCIL OF MINISTERS

DECISION C/DEC. 1/6/88 ON THE ADOPTION OF THE FEASIBILITY STUDIES ON THE PRODUCTION CENTRES FOR SELECTED BREEDING STOCKS OF THE BOVINE SPECIES:

MARAHOU RANCH (COTE D'IVOIRE)  
MADINA - DIASSA (MALI)  
ANIMAL HUSBANDRY DEVELOPMENT PROJECT  
(GAMBIA)

## THE COUNCIL OF MINISTERS

MINDFUL of Article 6 of the ECOWAS Treaty on the establishment of the Council of Ministers and defining its composition and function

On the recommendation of the Industry, Agriculture and Natural Resources Commission meeting in Lome from 24 - 28 May, 1988.

## DECIDES

## Article 1

The feasibility reports on the breeding centres at Marahou Ranch (COTE D'IVOIRE), Madina Diassa Ranch (MALI), and livestock Development Project (THE GAMBIA) for the production of selected breeding stocks of the Bovine species are hereby adopted.

## Article 2

The Executive Secretary and the Managing Director of ECOWAS Fund shall be responsible for the mobilisation of financial resources necessary for the establishment of the three selected centres.

## Article 3

The Executive Secretariat is mandated to contact Nigerian Government for the proposal of a new site to replace Potta Cattle Ranch.

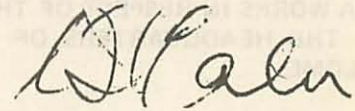
## Article 4

The Executive Secretariat is to undertake feasibility studies in 1989, on the new Centres simultaneously with the studies on the four centres in Group 2.

## Article 5

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

DONE AT LOME, THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

DECISION C/DEC. 2/6/88 ON SELECTED SEED MULTIPLICATION CENTRES ZARIA (NIGERIA), BOUAKE (COTE D'IVOIRE) MOLODO (MALI), ROKUPR (SIERRA LEONE).

## THE COUNCIL OF MINISTERS,

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

Acting on the recommendation of the Industry, Agriculture and Natural Resources Commission meeting in Lome from 26 - 28 May 1988.

## DECIDES

## Article 1

The feasibility studies on the following selected seed production centres:

- ZARIA (NIGERIA)
- BOUAKE (COTE D'IVOIRE)
- MOLODO (MALI)
- ROKUPR (SIERRA LEONE)

are hereby adopted.

## ARTICLE 2

The Executive Secretary and the Managing Director of ECOWAS Fund are directed to mobilise the financial resources required to strengthen these centres;

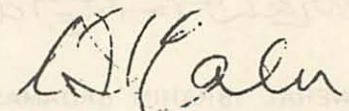
## Article 3

Member States are called upon to set up a National Seed Committee to work together with the Sub-regional Seed Committee.

## Article 4

This Decision shall enter into force upon signature and shall be published in the Official Journal of the Community and the Official Gazette of Member States

DONE AT LOME, THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**DECISION C/DEC. 3/6/88 DEFINING THE PROCEDURES FOR APPROVAL OF INDUSTRIAL PRODUCTS AND ENTERPRISES TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME**

**THE COUNCIL,**

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

MINDFUL of the Protocol defining the concept of products originating from, ECOWAS Member States and the subsequent amendments thereto

MINDFUL of Decision A/DEC 15/5/80 of 28 May 1980 of the Authority of Heads of State and Government on the establishment of the level of participation of nationals in the equity capital of industrial enterprises benefiting from preferential treatment particularly in its Article 1 (ii);

RECOGNISING the need to define a procedure for granting approval to industrial products and enterprises benefitting from the trade liberalisation scheme;

ON THE RECOMMENDATION of the Trade, Customs, Immigration, Money and Payments Commission, meeting in Lome from 6 -- 11 June 1988,

**HEREBY DECIDES**

**Article 1**

Procedure for approval of industrial products and exporting enterprises to benefit from the intra-ECOWAS trade liberalisation scheme, is defined in the provisions contained in the following Articles:

**Article 2**

Application for approval from enterprises wishing to benefit from the ECOWAS trade liberalisation scheme, shall conform to the specimen application form which is attached as an annex to this Decision;

**Article 3**

Interested enterprises shall fill in these applications for approval, and submit them to the national authorities concerned;

**Article 4**

The application for approval shall be scrutinised, at national level by the authorities concerned, to select those products conforming to the criteria determining origin, and eligibility to benefit from the trade liberalisation scheme;

**Article 5**

Application for approval shall be sent through the ECOWAS national units to the Executive Secretariat to arrive not later than 28 February of the year of application;

**Article 6**

The ECOWAS Executive Secretariat shall open and examine the applications and submit them to the May/June meeting of the Trade, Customs, Immigration, Money and Payments Commission for consideration. The Commission shall then recommend approval of the application by the Council of Ministers;

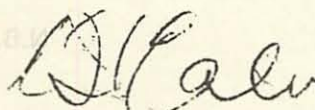
**Article 7**

The budget prepared on the basis of the number of approval granted shall be submitted to the November budget session of the Council of Ministers;

**Article 8**

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

DONE AT LOME, THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

APPLICATION FOR ADMISSION TO THE ECOWAS TRADE LIBERALISATION SCHEME

HON. DR. KALU I. KALU  
CHAIRMAN  
FOR THE COUNCIL

N.B. This questionnaire must be completed by enterprises wishing to benefit from the scheme

DECISION OF THE COUNCIL OF ECOWAS STATES DEFINING THE PROCEDURE FOR ADMISSION OF INDUSTRIAL PRODUCTS AND ENTERPRISES TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME

THE COUNCIL

MINISTERIAL OF Article 6 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions

MINISTERIAL OF the Protocol defining the scope of products originating from ECOWAS Member States and the subsequent amendments thereto

MINISTERIAL OF Decision A/DEC 125/80 of 28 May 1980 of the Authority of Heads of State and Government on the establishment of the level of participation of its members in the supply of industrial enterprises with foreign exchange treatment

RECOGNISING the need to define a procedure for granting approval to industrial products and enterprises benefiting from the trade liberalisation scheme

ON THE RECOMMENDATION of the Trade, Customs, Immigration, Money and Payments Commission, meeting in Lomé from 8 - 11 June 1985

HEREBY DECIDES

Article 1  
Procedure for approval of industrial products and enterprises wishing to benefit from the trade liberalisation scheme is defined in the provisions contained in the following Articles:

Article 2  
Application for approval from enterprises wishing to benefit from the ECOWAS trade liberalisation scheme shall be submitted to the competent authorities in the form of a questionnaire attached to an annex to this Decision

Article 3  
Interested enterprises shall fill in their applications for approval, and submit them to the national authorities

Article 4  
The application for approval shall be examined at national level by the authorities concerned to verify that products conforming to the criteria defining origin, and eligibility to benefit from the trade liberalisation scheme

Article 5  
Application for approval shall be sent through the ECOWAS national units to the Executive Secretary to arrive not later than 28 February of the year of application

Article 6  
The ECOWAS Executive Secretary shall open and examine the applications and submit them to the May/June meeting of the Trade, Customs, Immigration, Money and Payments Commission for consideration. The Commission shall recommend approval of the application

Article 7  
The budget prepared on the basis of the number of approvals granted shall be submitted to the November budget session of the Council of Ministers

Article 8  
This decision shall come into force upon signature and be published in the Official Journal of the Community and the National Gazette of each Member State

DONE AT LOME, THIS 21ST DAY OF JUNE 1988

TABLE 1

BREAKDOWN OF THE CAPITAL AND COMPOSITION OF STAFF

PROFESSIONAL STAFF				SHARE CAPITAL				AMOUNT	NATURE OF ACTIVITY
Total	National of this Country	National of other ECOWAS Member States	Foreign	Percentage Owned by ECOWAS Member States	Percentage Owned by other Member States in ECOWAS	Percentage Owned by National	Percentage Owned by National Member		

IDENTITY OF THE ENTERPRISES

- BUSINESS NAME
- LEGAL STATUS
- HEADQUARTERS
- LOCATION

TABLE I

BREAKDOWN OF THE CAPITAL AND COMPOSITION OF STAFF

SHARE CAPITAL						PROFESSIONAL STAFF			
NATURE OF ACTIVITY	AMOUNT	Percentage Owned by Member	Percentage Owned by Nationals	Percentage Owned by Nationals of other Member States in ECOWAS	Percentage Owned by Foreigners (non-ECOWAS citizens)	Nationals	Nationals of other ECOWAS Member States	Nationals of third Countries	Total Employed

## PRODUCTION :

## GOODS ELIGIBLE FOR ECOWAS PREFERENTIAL TARIFFS

Type of Goods and Tariff No. Item	PRODUCTION CAPACITY	Production During Past Five (5) years 1 YEAR WEAVING PRODUCTION MILLION METRES					Production Planned for next five (5) years MILLION METRES					Local Raw Material		Imported Raw Materials Inputs			Value Added of Product (1)
		19...	19...	19...	19...	1986	1987	1988	1989	1990	1991	Quantity (% of total Inputs)	Value (% of total Inputs)	Origin	Quantity (% of total Inputs)	Value (% of total Inputs)	Ex-factory value (%)

- (1) State in detail the formula for the calculation of the value added (refer to table IV attached relating to the determination of the ex - factory cost price and value added).

TABLE III

EXPORTS

TYPE OF GOODS AND TARIFF ITEM	Export trend for past five years					Export projection for next 5 years					Country of Destination		Quantity and Value of Exports to each Member States for past 5 years					Quantity and Value of Exports to each Member State planned for next 5 years						
	19...		19...		19...		19...		19...		ECOWAS Member States	Other Countries	19...		19...		19...		19...		19...			
	Q	V	Q	V	Q	V	Q	V	Q	V			Q	V	Q	V	Q	V	Q	V	Q	V	Q	V



DETERMINATION OF THE EX - FACTORY COST PRICE AND VALUE ADDED

	TOTAL COST	Specific cost per product Product No. 1		Product No. 2			
		COST	PERCENTAGE	COST	PERCENTAGE		
1. Cost of Inputs (1)							
- Raw Materials of Nigerian origin							
- Raw Materials of foreign origin							
- Other inputs of Nigerian origin							
- Other inputs of foreign origin							
- Import duties and taxes							
- Other charges on inputs (internal transportation, storage, transit charges).							
II. Cost of Non-reusable packaging (1)							
- Packaging of Nigerian origin							
- Packaging of foreign origin							
- Duties and taxes paid on packaging							
- Other charges paid on packaging							
III. Other expenses borne by the Enterprises							
- Salaries and wages							
- Duties and taxes (borne by enterprise)							
- Works, supplies and services provided by external sources							
- Transport and travels							
- Miscellaneous management expenses							
- Financial charges							
- Amortisation (building and equipment)							

<p>IV. Ex - factory Cost Price          - (I + II + III)</p> <p>V. Value Added          IV - ( + II) in percentage          ex-factory cost price</p> <p>(1) CIF of imported raw materials and packaging inputs.</p> <p>NB. The following factors are not taken into account in the determination of the ex-factory cost price :</p> <ul style="list-style-type: none"> <li>- Tax on profit</li> <li>- Value added tax</li> <li>- Tax on turnover</li> </ul>							
	TOTAL	COST	PERCENTAGE	COST	PERCENTAGE		

TABLE V

DESCRIPTION OF MANUFACTURING PROCESS SUBMITTED FOR APPROVAL

TYPE OF PRODUCT AND TARIFF N°	MANUFACTURING PROCESS
<p>1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8 2.9 3.0 3.1 3.2 3.3 3.4 3.5 3.6 3.7 3.8 3.9 4.0 4.1 4.2 4.3 4.4 4.5 4.6 4.7 4.8 4.9 5.0 5.1 5.2 5.3 5.4 5.5 5.6 5.7 5.8 5.9 6.0 6.1 6.2 6.3 6.4 6.5 6.6 6.7 6.8 6.9 7.0 7.1 7.2 7.3 7.4 7.5 7.6 7.7 7.8 7.9 8.0 8.1 8.2 8.3 8.4 8.5 8.6 8.7 8.8 8.9 9.0 9.1 9.2 9.3 9.4 9.5 9.6 9.7 9.8 9.9 10.0</p>	<p>1.4 1.5 1.6 1.7 1.8 1.9 2.0 2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8 2.9 3.0 3.1 3.2 3.3 3.4 3.5 3.6 3.7 3.8 3.9 4.0 4.1 4.2 4.3 4.4 4.5 4.6 4.7 4.8 4.9 5.0 5.1 5.2 5.3 5.4 5.5 5.6 5.7 5.8 5.9 6.0 6.1 6.2 6.3 6.4 6.5 6.6 6.7 6.8 6.9 7.0 7.1 7.2 7.3 7.4 7.5 7.6 7.7 7.8 7.9 8.0 8.1 8.2 8.3 8.4 8.5 8.6 8.7 8.8 8.9 9.0 9.1 9.2 9.3 9.4 9.5 9.6 9.7 9.8 9.9 10.0</p> <p>DECIDER</p> <p>MANUFACTURING PROCESS</p>

**DECISION C/DEC 4/6/88 RELATING TO THE CONTRIBUTION ASSESSMENT FORMULA FOR THE DISTRIBUTION OF THE AUTHORISED CAPITAL OF THE ECOWAS FUND**

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Article 3 paragraph 1(a) of the Protocol relating to the ECOWAS Fund, defining its ordinary capital resources as including the authorised capital,

MINDFUL of Article 5 of the Protocol relating to the ECOWAS Fund, defining the assessment formula for contribution to the resources of the ECOWAS Fund other than contribution relating to compensation for loss of revenue,

MINDFUL of Article 6 paragraphs 1 and 2 of the Protocol relating to the ECOWAS Fund, authorising the Council of Ministers to determine the terms and conditions for the paying-up of the capital of the ECOWAS Fund,

CONSCIOUS of the importance of the role of the ECOWAS Fund in the mobilisation of necessary resources for the implementation of the ECOWAS Economic Recovery Programme,

CONSIDERING Recommendation N<sup>o</sup> 1/6/88 of the Twenty-First Session of the Board of Directors of the ECOWAS Fund, held at Lome from 15 to 17 June 1988, highlighting the need for the Council of Ministers to formally adopt a contribution assessment formula for the distribution of the authorised capital of the ECOWAS Fund amongst Member States as well as the portion of the capital to be allocated to each Member States,

**DECIDES :**

**Article 1**

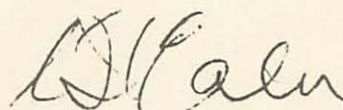
The following contribution assessment formula for the distribution of the authorised capital of the ECOWAS Fund amongst Member States as well as the portion of the capital to be allocated to each Member State is hereby adopted:

MEMBER STATES	RATIO %	AUTHORISED CAPITAL IN US \$
1. BENIN	3.0	15,000,000
2. BURKINA FASO	2.6	13,000,000
3. CAPE VERDE	1.0	5,000,000
4. COTE D'IVOIRE	13.0	65,000,000
5. THE GAMBIA	2.6	13,000,000
6. GHANA	12.9	64,500,000
7. GUINEA	2.9	14,500,000
8. GUINEA - BISSAU	1.5	7,500,000
9. LIBERIA	6.7	33,500,000
10. MALI	1.9	9,500,000
11. MAURITANIA	3.6	18,000,000
12. NIGER	2.1	18,500,000
13. NIGERIA	32.8	164,000,000
14. SENEGAL	5.4	27,000,000
15. SIERRA - LEONE	4.4	22,000,000
16. TOGO	3.6	18,000,000
<b>TOTAL</b>	<b>188.5</b>	<b>500,000,000</b>

**Article 2**

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

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**DECISION C/DEC. 5/6/88 RELATING TO THE TERMS AND CONDITIONS FOR THE PAYING - UP OF THE SECOND TRANCHE OF THE CALLED-UP CAPITAL AND FOR THE CALLABLE CAPITAL OF THE ECOWAS FUND**

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of Article 6 paragraphs 1 and 2 of the Protocol relating to the ECOWAS Fund authorising the Council of Ministers to determine the terms and conditions for the paying-up of the capital of the ECOWAS Fund,

MINDFUL of Decision N° A/DEC.6/7/87 of 8 July 1987 of the Authority of Heads of State and Government of ECOWAS relating to the second tranche of the called-up capital of the ECOWAS Fund,

MINDFUL of Decision N° A/DEC.8/7/87 of 9 July 1987 of the Authority of Heads of State and Government of ECOWAS relating to the remaining portion of the authorised capital of the ECOWAS Fund,

CONSCIOUS of the importance of the role of the ECOWAS Fund in the mobilisation of necessary resources for the implementation of the ECOWAS Economic Recovery Programme.

CONSIDERING Recommendation N° 2/6/88 of the Twenty-First Session of the Board of Directors of the ECOWAS Fund held in Lome from 15 to 17 June 1988 highlighting the need to determine the terms and conditions for the paying-up of the second tranche of the called-up capital and for the callable capital of the ECOWAS Fund,

**DECIDES :**

**Article 1**

ECOWAS Member States shall pay up the second tranche of the called-up capital of the ECOWAS Fund in the amount of fifty million United States dollars (US \$50,000,000) within a period of four years.

**Article 2**

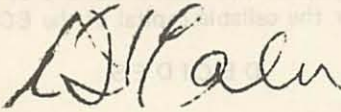
ECOWAS Member States contributions to the second tranche of the ECOWAS Fund Capital in the amount of fifty million United States dollars (US \$50,000,000) and for calls in respect of the callable capital in the amount of four hundred million United States dollars (US \$400,000,000) shall be as follows:

MEMBER STATE	RATIO %	CALLABLE CAPITAL	SECOND TRANCHE OF CALLED - UP CAPITAL				
			TOTAL US \$	CONTRIBUTIONS DUE			
				1988 US \$	1989 US \$	1990 US \$	1991 US \$
1. BENIN	3.0	12,000,000	1,500,000	375,000	375,000	375,000	375,000
2. BURKINA FASO	2.6	10,400,000	1,300,000	325,000	325,000	325,000	325,000
3. CAPE VERDE	1.0	4,000,000	500,000	125,000	125,000	125,000	125,000
4. COTE D'IVOIRE	13.0	52,000,000	6,500,000	1,625,000	1,625,000	1,625,000	1,625,000
5. THE GAMBIA	2.6	10,400,000	1,300,000	325,000	325,000	325,000	325,000
6. GHANA	12.9	51,600,000	6,450,000	1,612,500	1,612,500	1,612,500	1,612,500
7. GUINEA	2.9	11,600,000	1,450,000	362,500	362,500	362,500	362,500
8. GUINEA - BISSAU	1.5	6,000,000	750,000	108,500	187,500	187,500	187,500
9. LIBERIA	6.7	26,800,000	3,350,000	837,500	837,500	837,500	837,500
10. MALI	1.9	7,600,000	950,000	237,500	237,500	237,500	237,500
11. MAURITANIA	3.6	14,400,000	1,800,000	450,000	450,000	450,000	450,000
12. NIGER	2.1	8,400,000	1,050,000	262,500	262,500	262,500	262,500
13. NIGERIA	32.8	131,200,000	16,400,000	4,100,000	4,100,000	4,100,000	4,100,000
14. SENEGAL	5.4	21,600,000	2,700,000	675,000	675,000	675,000	675,000
15. SIERRA LEONE	4.4	17,600,000	2,000,000	550,000	550,000	550,000	550,000
16. TOGO	3.6	14,400,000	1,600,000	450,000	450,000	450,000	450,000
<b>TOTALS</b>	<b>100.0</b>	<b>400,000,000</b>	<b>50,000,000</b>	<b>12,500,000</b>	<b>12,500,000</b>	<b>12,500,000</b>	<b>12,500,000</b>

**Article 3**

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

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**DECISION C/DEC. 6/6/88 RELATING TO THE COOPERATION AGREEMENT BETWEEN THE WEST AFRICAN DEVELOPMENT BANK (BOAD) AND THE FUND FOR COOPERATION, COMPENSATION AND DEVELOPMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Article 6 of the Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

CONSIDERING recommendation N°4/6/88 of the Twenty-First session of the Board of Directors of the ECOWAS Fund held in Lome from 15 to 17 June 1988

**DECIDES**

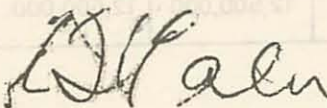
**Article 1**

The Managing Director of the ECOWAS Fund is hereby authorised to sign the Cooperation Agreement with the West African Development Bank (BOAD).

**Article 2**

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

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**DECISION C/DEC. 7/6/88 RELATING TO THE COOPERATION AGREEMENT BETWEEN THE AFRICAN DEVELOPMENT BANK (ADB) THE AFRICAN DEVELOPMENT FUND (ADF) THE FUND FOR COOPERATION, COMPENSATION AND DEVELOPMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES**

**THE COUNCIL OF MINISTERS**

MINDFUL OF Article 6 of the Treaty of the Economic Community of West African States establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision N° C/5/7/87 of the Council of Ministers authorising the finalisation and signing of the Cooperation Agreement with the African Development BANK (ADB);

CONSIDERING recommendation N°5/6/88 of the Twenty-First Session of the Board of Directors of ECOWAS Fund held in Lome from 15 to 17 June 1988;

**DECIDES**

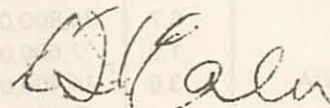
**Article 1**

The Managing Director of the ECOWAS Fund is authorised to sign the Cooperation Agreement with the African Development Bank (ADB) and the African Development Fund (ADF).

**Article 2**

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

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**DECISION C/DEC. 8/6/88 RELATING TO THE RENEWAL OF APPOINTMENT OF THE MANAGING DIRECTOR OF THE ECOWAS FUND**

**THE COUNCIL OF MINISTERS**

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

MINDFUL of Article 28 paragraph 4 of the Protocol relating to the ECOWAS Fund empowering the Council to appoint the Managing Director for another term of four (4) years only;

RECALLING DECISION C/DEC. 1/7/85 of the Council of Ministers relating to the confirmation of the Appointment of the Managing Director of the ECOWAS Fund

CONSIDERING the Report of the Twenty-Third Session of the Council of Ministers held in Lome from 18 to 21 June, 1988,

**DECIDES**

**Article 1**

The appointment of Mr. Mahenta Birima FALL as Managing Director of the ECOWAS Fund is renewed for another term of four (4) years only with effect from 1st January, 1989.

**Article 2**

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

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**3. RESOLUTIONS**

**a. OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

**RESOLUTION A/RES. 1/6/88 OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT RELATING TO THE DUMPING OF NUCLEAR AND INDUSTRIAL WASTE**

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

MINDFUL of Article 5 of the Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority and defining its composition and functions;

AWARE that the West-African sub-region faces serious problems of ecological degradation principally brought about by drought and desertification;

CONSCIOUS of the efforts of the countries of the sub-region to re establish the natural ecological balance through the implementation of environmental protection programmes at both National and Community levels;

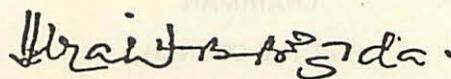
ALARMED at the increasing reports of the incidence of acts of or attempts at dumping nuclear and other harmful industrial waste within the territories of ECOWAS Member States;

DETERMINED to continue to protect, preserve and improve the natural environment of the sub-region for the benefit of the present and future generations of West Africans and other people;

**HEREBY RESOLVES AS FOLLOWS:**

1. We condemn in no uncertain terms all acts of or attempts at dumping of nuclear and other industrial waste in the territory or territorial waters of any ECOWAS Member State;
2. We undertake to enact laws in our respective countries to make it a criminal offence for anybody, group of persons or firms or organisations to take part in any act that facilitates the dumping of nuclear and industrial waste in any of our territories;
3. Each Member State is urged to take all possible measures to prevent the involvement of the Government or its officials, any corporate body or private citizen in any act that could lead to the dumping of toxic and other harmful waste in its territory;
4. We undertake to establish a "dump-watch". The Council of Ministers, with the assistance of the Executive Secretary shall ensure the effective establishment of this system of surveillance to ensure that the West African sub-region is kept free of nuclear and industrial waste;
5. The Governments of the industrialised countries are called upon to take the necessary measures to ensure the safe disposal of nuclear and other industrial waste and to strengthen their procedures for enforcing such measures, so as to prevent the export of these waste materials to other countries.

DONE AT LOME, THIS 25TH DAY OF JUNE, 1988



H.E. GENERAL IBRAHIM BADAMASI BABANGIDA

CHAIRMAN

FOR THE AUTHORITY

**b. OF THE COUNCIL OF MINISTERS**

**RESOLUTION C/RES. 1/6/88 ON THE AMENDMENT OF ARTICLES 4 AND 9 OF THE ECOWAS TREATY RELATING TO THE INSTITUTIONS OF THE COMMUNITY AND ITS TECHNICAL AND SPECIALISED COMMISSIONS RESPECTIVELY.**

**THE COUNCIL OF MINISTERS**

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

MINDFUL of Article 4 of the said Treaty establishing the Institutions of the Community as amended by supplementary Protocol A/SP2/5/81 dated 29 May, 1981;

CONSIDERING that the above-mentioned Article 4 makes provision for the establishment, by the Authority of Heads of State and Government, of Commissions or bodies other than those provided for by the Article;

CONVINCED of the need to set up a body whose duty shall be to examine all administrative and financial matters concerning the Community, and make recommendations that shall contribute technically to the proper management of Community Institutions;

On the recommendation of the Committee of Finance Experts meeting in Lome from 7 to 13 June, 1988,

**HEREBY PROPOSES:**

That the Authority of Heads of State and Government approve and adopt the annexed draft Supplementary Protocol amending Article 4 paragraph 1(f) and Article 9 paragraph 1 of the ECOWAS Treaty.

DONE AT LOME, THIS 21ST DAY OF JUNE, 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**RESOLUTION C/RES. 2/6/88 ON THE AMENDMENT OF ARTICLE 53 OF THE ECOWAS TREATY RELATING TO THE BUDGET OF THE COMMUNITY**

**THE COUNCIL OF MINISTERS**

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

MINDFUL of the provisions of Article 4, 9, and 53 of the Treaty on the Institutions of the Community, the Specialised Technical Commissions and the budget of the Community respectively;

CONSIDERING that the above-mentioned Article 4 provides for the establishment by the Authority of Heads of State and Government of Commissions or bodies other than those provided for by this Article;

CONSIDERING the Recommendation of the Committee of Finance Experts which met in Lome from 7 to 13 June 1988 on the establishment of a body designated "Finance Commission", which shall be responsible for the consideration of all financial matters concerning the Community;

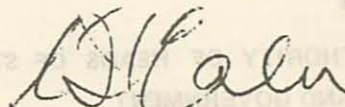
CONVINCED of the need to establish a body designated "Administration and Finance Commission" which shall be responsible for the consideration of all administrative and financial matters concerning the Institutions of the Community;

CONSIDERING that in view of the functions incumbent upon this body, the provisions of Article 53 of the Treaty on the Community Budget need to be amended in order to define its functions;

**HEREBY PROPOSES**

That the Authority of Heads of State and Government approve and adopt the attached draft Supplementary Protocol amending Article 53 of the ECOWAS Treaty on the Budget of the Community.

DONE AT LOME, THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL



**RESOLUTION C/RES. 3/6/88 COMPLETING THE PROVISIONS OF RESOLUTION C/RES. 9/7/87 RELATING TO THE CAPITAL STRUCTURE OF THE ECOWAS FUND**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Article 6 of the Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions

MINDFUL of Article 3, paragraph 1(a) of the Protocol relating to the ECOWAS Fund, defining its ordinary capital resources as including its authorised capital

MINDFUL of Article 6 paragraphs 1 and 2 of the Protocol relating to the ECOWAS Fund, authorising the Council of Ministers to determine the terms and conditions for the paying-up of the capital of the ECOWAS Fund,

MINDFUL of Resolution C/RES. 9/7/87 of 6 July 1987 relating to the capital structure of the ECOWAS Fund,

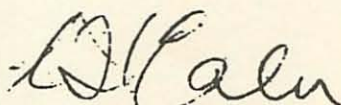
CONSCIOUS of the importance of the role of the ECOWAS Fund in the mobilisation of necessary resources for the implementation of the ECOWAS Economic Recovery Programme,

CONSIDERING Recommendation N<sup>o</sup> 3/6/88 of the Twenty-First Session of the Board of Directors of the ECOWAS Fund held in Lome from 15 to 17 June 1988 highlighting the need to complete the provisions of Resolution C/RES. 9/7/87 above,

RECOMMENDS TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT to complete its Decision N<sup>o</sup> A/DEC. 7/7/87 relating to the capital structure of the ECOWAS Fund by the following:

1. The authorised capital of the ECOWAS Fund is fixed at five hundred million United States dollars (US \$500,000,000) and has been fully subscribed by the Member States of ECOWAS.
2. The authorised capital consists of a called up portion corresponding to one hundred million United States dollars (US\$100,000,000) and a callable portion amounting to four hundred million United States dollars (US\$400,000,000).
3. The called-up capital shall at all times be equivalent to twenty percent (20%) of the authorised capital.
4. The callable capital shall serve as guarantee for borrowings contracted and loans granted by the ECOWAS Fund.

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

**RESOLUTION C/RES. 4/6/88 RELATING TO THE STUDY ON ENHANCING THE FINANCIAL RESOURCES OF THE ECOWAS FUND**

**THE COUNCIL OF MINISTERS,**

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

MINDFUL of the purpose of the ECOWAS Fund as set out in Article 2 of the Protocol relating to the ECOWAS Fund,

CONSCIOUS of the increasing demands on the resources of the ECOWAS Fund,

NOTING that the internal net resources of the ECOWAS Fund are rapidly declining,

NOTING further that there are considerable reserves of surplus funds outside the ECOWAS sub-region,

MINDFUL of Decision N<sup>o</sup> C/DEC. 9/7/87 of the Council of Ministers relating to the Study on Enhancing the Financial Resources of the ECOWAS Fund,

RECALLING that in the Final Communiqué of the Authority of Heads of State and Government held in Abuja from 7 to 9 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 institution and non-member states of ECOWAS,

On the recommendation of the Twenty-First Session of the Board of Directors of the ECOWAS Fund held in Lome from 15 to June 1988,

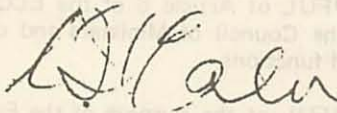
**PROPOSES TO THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT:**

To accept the principle of enhancing the financial resources of the ECOWAS Fund especially by the opening-up of its capital to non-regional members subject to the following:

- i) an examination of alternative options for the distribution of equity capital between regional members and non-regional members, while maintaining the regional character of the ECOWAS Fund;
- ii) a study of the modalities for the transfer of shares between Member States as well as an arrangement for the transfer of shares from future non-regional members to Member States;
- iii) a formulation of measures to ensure the proper balance between the political and the financial objectives of the Community within the context of a restructured ECOWAS Fund;
- iv) an identification of a number of guidelines to safeguard the regional character of the ECOWAS Fund and the Community objective of sub-regional integration
- v) the continued administration by the ECOWAS Fund of the resources of any special facilities, including compensation, in accordance with Article 4 of the ECOWAS Fund Protocol;
- vi) an up-date of the net worth of the ECOWAS Fund, taking into account its assets (buildings contributions et cetera);

- vii) an examination, during the implementation period of the possibility of non-governmental regional subscribers participating in the restructured ECOWAS Fund.

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL

RESOLUTION C/RES. 3/88 COMPLETING THE PROVISIONS OF RESOLUTION C/RES. 7/87 RELATING TO THE CAPITAL STRUCTURE OF THE ECOWAS FUND

THE COUNCIL OF MINISTERS

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

MINISTERS OF THE COUNCIL OF MINISTERS OF THE ECOWAS REGIONAL COMMUNITY OF WEST AFRICAN STATES (ECOWAS) MEETING AT LOME ON 15 JUNE 1988

1. The authorized capital of the ECOWAS Fund is fixed at one hundred million United States dollars (US\$100,000,000) and has been fully subscribed by the Member States of ECOWAS.
2. The authorized capital consists of a called up portion of one hundred million United States dollars (US\$100,000,000) and a called up portion of one hundred million United States dollars (US\$100,000,000).
3. The called up capital shall at all times be equivalent to twenty percent (20%) of the authorized capital.
4. The called up capital shall serve as guarantee for borrowing contracts and loans granted by the ECOWAS Fund.

DONE AT LOME THIS 21ST DAY OF JUNE 1988



HON. DR. KALU I. KALU

CHAIRMAN

FOR THE COUNCIL