

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES



COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

ECW/CML1/XXIV/Rev.1

**FIFTY - FIRST SESSION OF THE
COUNCIL OF MINISTERS**

Accra, 15 - 18 December 2003

FINAL REPORT

Accra, December 2003

I. Introduction

1. The fifty-first meeting of the ECOWAS Council of Ministers was held in Accra from 15 to 18 December 2003.

The following Member States were represented:

- Republic of Benin
- Burkina Faso
- Republic of Cote d'Ivoire
- Republic of The Gambia
- Republic of Ghana
- Republic of Guinea
- Republic of Mali
- Republic of Niger
- Federal Republic of Nigeria
- Republic of Senegal
- Togolese Republic

2. The representatives of the following ECOWAS specialised institutions were also represented at the meeting:

- The ECOWAS Parliament
- The ECOWAS Court of Justice
- The ECOWAS Bank for Investment and Development (EBID)
- The ECOWAS Regional Development Fund (ERDF)
- The ECOWAS Regional Investment Bank (ERIB)
- The West African Health Organisation (WAHO)
- The West African Monetary Agency (WAMA).
- The ECOWAS Gender Development Centre

3. The following International organisations participated in the meeting:

- West African Economic and Monetary Union (UEMOA)
- United Nations Economic Commission for Africa (ECA)

4. A list of participants is attached to this report.

II. Opening Session

5. The Executive Secretary, Dr. Mohamed Ibn Chambas, in his welcome address, expressed his satisfaction to Council for its efforts in coordinating and ensuring the full involvement of Member States in the integration of the West African region. The Executive Secretary informed Council of the higher level of

involvement of sectoral Ministers in the formulation of joint policies and programmes on regional issues arising within their respective sectors. The Secretariat also, according to the Executive Secretary had made a determined effort to ensure the involvement of the private sector and the civil society in the development and integration of West Africa.

6. Dr. Chambas recalled the mission assigned to ECOWAS, which is to facilitate the transformation of the fragile national economies into one integrated economy. This, in the words of Dr. Chambas, is an objective which can only be achieved if the decision-makers at the national level operate a change of attitude and adopt a truly regional approach to economic development.

7. In his own introductory address, the Speaker of the ECOWAS Parliament, Professor Ali Nouhoum Diallo thanked the government of the host country and the Honourable members of Council on behalf of the 115 Members of his institution.

8. The Speaker paid tribute to the support of the Ghanaian Presidency, alluding to the written message to the May 2003 Session of the ECOWAS Parliament from President John Kufuor, and the presence at the same Session, of the Chairman of Council, the Honourable Kofi Konadu Apraku.

9. The Speaker announced to Council the official allocation by the Nigerian authorities, of offices to house the ECOWAS Parliament within the International Conference Centre complex in Abuja.

10. On the issue of regional peace and security, the Speaker stated the commitment of the Parliament to employing parliamentary diplomacy in support of the efforts of the ECOWAS authorities in the prevention, management and resolution of the conflicts which, tragically, continue to plague the sub-region

11. The Speaker reported to Council on the activities of the Parliament in relation to international cooperation, to its different working sessions, and in connection with NEPAD, resource mobilisation and education.

12. Continuing, the Speaker expressed the desire of the Members of the Parliament to see the ECOWAS flag flying at the side of the national flag over all public buildings in the Member States, and to hear the ECOWAS anthem sung at all official ceremonies, and particularly, in all schools.

13. Taking the floor in his turn, the Chairman of Council, the Honourable Dr. Kofi Konadu Apraku, Minister of Regional Cooperation and of NEPAD of the Republic of Ghana, extended a warm welcome to members of Council and all participants at the 51st session of the ECOWAS Council of Ministers. The Honourable Minister underscored the fact that the year 2003 had been a

tumultuous year for ECOWAS, as witness the developments in Cote d'Ivoire and Liberia. The Honourable Minister declared that the region was now faced with a final choice: that of continuing to apply the same policies which have so far only served to marginalise our region and impoverish our citizens, that of continuing to make war and dilapidate the slender resources of our countries, or rather that of resolutely implementing ECOWAS acts and decisions, imparting a real significance to and reaping tangible results from the integration effort.

14. The Chairman of Council appealed to his colleagues in their capacity as Ministers in charge of ECOWAS affairs, to spearhead the move for political change at the national level and focus on regional cooperation and integration. He reminded the meeting of a number of deadlines fixed by the ECOWAS Community, calling on all Member States to find positive responses to the following questions:

- I. Will the full implementation of the ECOWAS trade liberalisation scheme come into force in 2004 as expected?
- II. Will the Community levy be fully implemented in 2004?
- III. Will the Community passport be in full effect by 2005?
- IV. Will the common external tariff be in full operation by 2005?
- V. Will the 2nd monetary zone come into effect by July 2005, and finally,
- VI. Will ECOWAS and UEMOA become more integrated by 2005?

III. Election of Bureau

15. The bureau of the meeting was elected as follows:

- Chairman: Republic of Ghana
- Rapporteurs: Federal Republic of Nigeria
Republic of Senegal.

IV. Adoption of Agenda

16. The agenda of the meeting was adopted as follows:

1. Opening Session (election of bureau, adoption of agenda and work programme)
2. Swearing-in of the Financial Controller, Mrs. Nellie N. Taylor

3. Presentation and consideration of the annual report of the Executive Secretary
4. Status of ratification of the revised ECOWAS Treaty, Protocols and Conventions
5. Consideration of the status report on tasks assigned to the Executive Secretariat
6. Consideration of the reports of meetings of:
 - (i) the regional workshop on poverty reduction in West Africa (information point);
 - (ii) Ministers of Trade and of Finance;
 - (iii) Ministers of Energy;
 - (iv) Consideration of the report of the ad-hoc Ministerial Committee on the Evaluation of the Performance of Statutory Appointees
 - Renewal of the tenures of the first three Judges of the ECOWAS Court of Justice;
 - (v) Trade, Customs, Taxation, Statistics, Money and Payments Commission;
 - (vi) ECOSTAT Steering Committee (Directors of Statistics and European Commission);
 - (vii) Political, Judicial and Legal Affairs, Regional Security and Immigration Commission; and
 - (viii) Administration and Finance Commission.
7. Consideration of the memoranda on the following:
 - (i) the status of the statutory posts: the West African Health Organisation and the External Auditors;
 - (ii) the status report on the professional staff housing estate at Katampe District of Abuja as at 30th of November, 2003 (an information document);

- (iii) Briefing on NEPAD implementation;
 - (iv) Eradication of polio in the ECOWAS region;
 - (v) Terms of reference for the conduct of studies on the enhancement of the powers of the ECOWAS Parliament and election of its Members by direct universal suffrage;
 - (vi) Regional road transport and transit facilitation programme;
 - (vii) Liberalisation of air transport in West Africa;
 - (viii) Mechanism for the surveillance and monitoring of transhumance between ECOWAS Member States
8. Delegation of powers to the EBID Board of Governors for the appointment of the Managing Directors of its subsidiaries
 9. Adoption of the draft agenda of the twenty-seventh ordinary summit of the Authority of Heads of State and Government
 10. Any other business
 11. Adoption of report
 12. Closing session.

V. Outcome of Deliberations

Item 2: Swearing-in of the Financial Controller

17. Mrs. Nelly N. Taylor was sworn in as the ECOWAS Financial Controller after being appointed by the Council of Ministers. Council congratulated her on her appointment and urged her to perform her duties with dedication.

Item 3: Presentation and Consideration of the report of the Executive Secretary

18. The ECOWAS Executive Secretary, Dr. Mohamed Ibn Chambas presented his annual report for the period from 2003 to 2004 titled "Integration and Development in West Africa: Facing the Immediate challenges".

19. The report pointed to the particularly disappointing economic performance of the sub-region in 2002, noting that global economic activity within ECOWAS had declined during this period, as evidenced by the drop in GDP, which fell from

4% in 2001 to 2% in 2002, due mainly to the reduction of OPEC oil quotas which affected petroleum production in Nigeria, and the impact of the Ivorian crisis on the regional economy. The report dwelt on the strategic importance of Cote d'Ivoire, the political instability which swept the country at the end of 1999, and the destabilisation attempt of September 19 2002, with its harsh economic and financial implications for the sub-region.

20. The report noted, however, that on the whole, the economic prospects for the West African economies in 2003 remain favourable as a result of the macroeconomic and sectoral reform policies carried out by the Member States, and the consolidation of peace and security in the Mano River region.

21. Under the chapter on the functioning of the Community, the Executive Secretary gave an overview of progress accomplished since the beginning of 2003. The emphasis was on the implementation of the different decisions of the Authority of Heads of State and Government, especially those relating to the enhancement of the support institutions to the regional integration process, the printing and introduction of the ECOWAS passport, monetary cooperation, the creation of a common market, the state of preparedness of for the negotiation of the economic partnership agreement, production, infrastructure and development programmes. The Executive Secretary went on to highlight the achievements realised by the ECOWAS Community with regard to the coordination and implementation of NEPAD projects. The most important of these are the West African power pool, the West Africa gas pipeline, and telecommunications projects.

22. In the section on administration and financial matters, the Executive Secretariat reported to Council on the restructuring of the Executive Secretariat, especially as pertains to the review of conditions of service, staff recruitments, staff accommodation, computerisation of the Executive Secretariat, concluding with a reminder of the serious financial difficulties of the institution. In this regard, the Executive Secretary recalled that the payment of annual contributions to the budget of the institution as at 31 September 2003, was only 55.34%, compared to the estimate of 75% for the same period. On the issue of arrears of contribution, he noted that payment of arrears was a mere 17.46%, compared to the budgeted income from this source, representing 1.69% of total proceeds expected from arrears of contributions.

23. Under the section on the ECOWAS institutions, the Executive Secretary gave an account of the activities of the West African Health Organisation (WAHO), the Court of Justice and the ECOWAS Bank for Investment and Development Group. The report highlighted the implementation of the priority programmes of the institutions, identifying difficulties encountered, with a view to finding appropriate solutions.

24. On the issue of regional peace and security, the report of the Executive Secretary presented an overview of the situation in Liberia, Cote d'Ivoire, Sierra Leone and Guinea Bissau. On the special case of Cote d'Ivoire, the Executive Secretary gave an account of the different initiatives taken by the ECOWAS Community with a view to finding a lasting solution to the crisis in the country. The report underscores, among other issues, the humanitarian situation in the conflict zones, which gives serious cause for concern. The Executive Secretary appealed to the international community to come to the aid of the host countries giving shelter to refugees, and to facilitate the return of the latter to their countries of origin, with the restoration of peace. The Executive Secretary also reported on the implementation status of the mechanism on conflict prevention, management and resolution, peace-keeping and security. In this connection, he highlighted the activities of the Mediation and Security Council, the Defence and Security Commission, the ECOWAS stand-by units, and the Council of Elders. The Executive Secretary stated that the promotion of lasting peace in the sub-region remained, now, more than ever, the principal challenge to integration and the development of the West African economies.

25. Recalling the other challenges facing the ECOWAS Member States in the immediate, the Executive Secretary recalled the need to formulate and adopt an appropriate regional development strategy, taking due account of NEPAD, PRSPs, and the consolidation of the regional integration process through the implementation of ECOWAS priority programmes in relation to the common market, monetary cooperation, production and infrastructure. The report notes, however, that regional peace and security are a precondition for regional development and integration.

26. Council took note of the report of the Executive Secretary.

Item 4. Status of ratification of the revised ECOWAS Treaty, Protocols and Conventions

27. The memorandum summarises the ratification and implementation status of the revised Treaty and ECOWAS protocols and conventions. It contains a series of information arranged in 6 tables which are annexed to the report. Annex I recalls that the Treaty was signed in Cotonou on 24 July 1993, and entered into force on 23 August 1995. The table shows that to date, the Secretariat is yet to receive instruments of ratification of the revised Treaty from Guinea Bissau. Annex II indicates the number of protocols and conventions ratified by each Member State. Annex III indicates the number of protocols and conventions yet to be ratified by each Member State, while Annex IV lists the 33 protocols and conventions definitively entered into force, indicating the 3 protocols which have entered provisionally into force, pending receipt of sufficient ratifications to permit their definitive entry into force. Annex V shows that 9 protocols and conventions are yet to receive the sufficient number of ratifications to permit their definitive

entry into force, and Annex VI gives a detailed State by State presentation of the ratification status of each ECOWAS protocol and convention.

28. The Council of Ministers urged all Member States to ratify without delay, those protocols and conventions which they were yet to ratify, and to transmit the instruments of ratification pertaining thereto to the Executive Secretariat.

29. Council called on all Member States and the Executive Secretary to regularly publish ECOWAS acts respectively in their Official Journal and National Gazettes.

Item 5: Consideration of the status report on tasks assigned to the Executive Secretariat

30. The Executive Secretariat presented a report on the implementation of tasks assigned to it by the Council of Ministers. These pertained mainly to the implementation of priority programmes, and institutional, administrative and financial matters.

31. Council took note of the memorandum and requested the Executive Secretariat to execute outstanding tasks without delay.

Item 6 (i) Information on the preparation of a regional poverty reduction strategy paper (PRSP)

32. The Executive Secretariat presented a progress report on the preparation of a regional poverty reduction strategy paper (PRSP), in compliance with the mandate of Council embodied in regulation C/REG.12/12/01, adopted in Dakar, in December 2001. The regional PRSP is being prepared in collaboration with the UEMOA Commission and the World Bank. Activities to be carried out in connection with the programme were identified at a meeting held in Accra, on 6 and 7 November 2003, to validate methodology to be adopted for the implementation of the programme. A regional forum on poverty reduction is scheduled for May or June 2004. The forum will be attended by government officials, operators from the private sector, professional groupings, and civil society organisations.

33. Council took note of the memorandum from the Executive Secretariat and urged it to speed up preparation of the regional poverty reduction programme and report thereon to Council within an acceptable period of time.

Item 6 (ii): Consideration of the report of the Ministers of Trade and of Finance.

34. The report of the meeting of ECOWAS Ministers of Trade Hon. Alan Kyerematen, Honourable Minister of Trade, Industry and Special Initiatives of the President of the Republic of Ghana. The report hinged on the following issues:

- Road map for the negotiation of the economic partnership agreement (EPA);
- Negotiating structure.
- Development financing.
- Post-Cancun prospects.

35. The Council of Ministers adopted the report of the meeting of Ministers of Trade and of Finance, with special attention to the recommendations on the roadmap, the negotiating structure and development financing.

36. Concerning the Ministerial Facilitation Committee, Council decided to include Niger and Senegal.

37. Council stressed the need for all the Member States to unite and adopt a common position for the negotiations in order to strengthen the African position.

38. On the issue of post-Cancun prospects, Council adopted the recommendations contained in the report of the Ministers of Trade and of Finance, underscoring the need for special consideration for the cotton issue aside from the main negotiations on agriculture.

Item 6 (iii): 5th meeting of Ministers of Energy

39. The report of the 5th meeting of Ministers of Energy held in Dakar from 7 to 12 November 2003, presented the implementation status of activities in connection with the West African Power Pool (WAPP) undertaken at various levels by Member States, donor agencies and the Executive Secretariat.

40. Council took note of the efforts made by the Secretariat to mobilise the necessary funds for the WAPP project, and endorsed the resolutions of the Ministers of Energy on:

- the ECOWAS rural electrification initiative;
- the European energy initiative for poverty reduction and sustainable development; and
- the WAPP zone B short-term priority projects.

Item 6 (iv): Consideration of the report of the ad hoc Ministerial committee on the evaluation of the performance of statutory appointees:

Renewal of the tenures of the first three Judges of the ECOWAS Court of Justice

41. The memorandum presented by the ECOWAS Executive Secretary, Dr. Mohamed Ibn Chambas, proposed the renewal of the tenure of the 3 Judges which is due to expire on 29 January 2004. They are:

- Honourable Justice El-Mansour Tall Vice President
- Honourable Justice Barthélémy Toé Member
- Honourable Justice Aminata Mallé Member.

42. Council therefore agreed to recommend to the Authority of Heads of State and Government the renewal of the tenure of the 3 Judges as from 30 January 2004, for an additional period of 5 years.

Item 6 (v): Consideration of the report of the 46th meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission

43. The Deputy Executive Secretary for Policy Harmonisation presented the outcome of the Commission meeting as follows:

- Proposals for approval of new industrial products to benefit from the ECOWAS trade liberalisation scheme.
- Compensation for loss of revenue
- Status report on the preparation of the ECOWAS CET project.
- Status report on the preparations for negotiation of the economic partnership agreement between West Africa and the European Union.
- Adoption of the nomenclature of the harmonised system (version 2002).
- Progress report on implementation of SIGOA-TOPS;

- On-line exchange of customs data and statistics between ECOWAS Member States and the Executive Secretariat.
- Report of the ASYCUDA++workshop.

44. Council adopted the report and recommendations of the Commission and the draft regulation approving the compensation budgets for loss of revenue incurred by ECOWAS Member States as a result of the intra-Community trade liberalisation scheme.

45. Revenue lost is as follows:

- Benin : CFA 1,984,703, 878 in the second half of 2002 and first half of 2003;
- Ghana : 85, 472,779,550 cedis for the period 1999 to 2002;
- Togo : CFA 88,656,912 in 2002.

46. Council agreed that compensation budgets for loss of revenue be prepared in units of account (UA) like the other budgets of the Executive Secretariat.

47. Council also approved the list of new products and industrial enterprises for preferential treatment under the ECOWAS trade liberalisation scheme. A draft regulation is attached as an annex.

48. Council further adopted the regulation in annex adopting the 2002 version of the nomenclature of the harmonised system for the designation and codification of goods (HS).

49. Lastly, Council adopted the following recommendations formulated by the Commission under Any Other Business:

- i. that the Federal Republic of Nigeria should specify that products originating in ECOWAS Member States are excluded from the list of banned products adopted by Nigeria.
- ii. that the Executive Secretariat and the Member States should ensure compliance with the rules of origin by the approved enterprises.
- iii. that the Executive Secretariat should convene a meeting to consider the removal of non-tariff barriers to the free movement of goods;
- iv. Member States and the Executive Secretariat should take all necessary, urgent and appropriate measures to implement the trade

liberalisation scheme with effect from 1 January 2004. Council also decided that each Member State should submit a progress report on the implementation of this programme to its next session. In view of the political will needed for the implementation of the scheme, Council recommended that the issue should be raised at the summit of Heads of State and Government, for the necessary directives to be issued.

Item 6 (vi): ECOSTAT Steering Committee (Directors of Statistics and European Commission).

50. The reports of the first meeting of the expanded steering committee of the ECOWAS statistics development programme and of the meeting launching activities in relation to the harmonisation of national accounts and consumer price indices, held in Accra from 1 to 2 and 3 to 5 December 2003, focus on the following items:

- status of the ECOWAS statistics project (ECOSTAT) and prospects for the future;
- harmonisation of national accounts.
- harmonisation of consumer price indices.

51. Council approved the recommendations contained in the reports presented, especially those relating to:

- the priority programmes to be incorporated into the work programme and the implementation strategy for the statistics development programme;
- the ECOWAS platform for more comparable GDPs; and
- the common platform for the harmonisation of price indices (COICOP, new 12-function version).

52. Council directed the Secretariat to take all necessary measures to implement these programmes without delay.

Item 6 (vii): Presentation and consideration of the report of the Political, Judicial and Legal Affairs, Regional Security and Immigration Commission

53. Council decided to postpone consideration of the report of the Commission which met in Abuja from 5 to 7 September 2003, in order to allow the active participation of all the ECOWAS institutions in the preparation of the texts in question.

Item 6 (viii): Consideration of the report of the 30th meeting of the Administration and Finance Commission

54.. The report of this meeting presented by the Chairperson addressed, among other matters, the following issues:

- the Interim Report of the Financial Controller;
- Reports of the External Auditors on three Institutions;
- Report of the meeting of Heads of ECOWAS National Units;
- Report of Shelter Afrique on the feasibility study on the G and M staff housing scheme;
- Report of the UNDP Consultant's study on the Review of the salary scale and other emoluments for staff of ECOWAS Institutions;
- Proposal for amendment to Regulation C/REG.9/12/2001 approving the restoration and the payment of duty allowance to additional locally recruited staff of the Executive Secretariat;
- Proposal for renewal of leases for residential accommodation for staff members of the Executive Secretariat;
- Proposal for the construction of residential accommodation for staff members of the ECOWAS Court of Justice;
- Proposal for the establishment of the small arms unit within the Executive Secretariat;
- Proposal for the establishment of a mission planning and monitoring cell in the Executive Secretariat;
- Implementation of the Peace Fund;
- Revision of the organogram of the Executive Secretariat;
- Compensation for loss of revenue under the trade liberalisation scheme;
- 2004 draft budgets of ECOWAS institutions;
- Draft 2004 work programmes.

55. Council adopted the report with the following observations and recommendations:

- i) Council accepted the recommendations on the interim Report of the Financial Controller and directed ECOWAS institutions to correct the expenditure imbalance between administrative overheads and programmes;
- ii) Council accepted the External Auditor's reports on the 2002 audited financial statements of the Executive Secretariat, the 2001 and 2002 financial statements of the Parliament and the ECOWAS Court of Justice. Council directed the institutions to take steps to strengthen their internal control mechanisms; Council accepted the proposal that reports of the Financial Controller and the External Auditor should be submitted to Council at subsequent meetings
- iii) Council pending the outcome of the on-going study, suspended the creation of ECOWAS Representations in the Member States because of the Community's poor financial situation;
- iv) While accepting that leases for G and M staff residential accommodation which fall due in 2004 should not be renewed, Council approved the institutionalisation of housing allowances for these staff categories as follows:
 - M1 to G2 - N350,000 per person per annum
 - G3 to G4 - N400,000 per person per annum
 - G5 to G6 - N450,000 per person per annumFurthermore, the institutions should assist these staff members have access to mortgage facilities;
- v) The Executive Secretariat should revise its memorandum on the review of salary structure and staff emoluments for consideration by the appropriate organs;
- vi) Council approved an amendment to Regulation C/REG.9/12/2001 to include security guards in the cadres to benefit from duty allowance at the rate of 15%. Council also approved the extension of the payment of duty allowance to the following new cadres at the rates indicated:
 - Audit Assistant - 15%
 - Clerks - 10%
 - Despatch Rider - 10%
 - Library Assistant - 10%
 - Technician - 10%

- vii) Council approved the sum of UA 1,203,030 to cover the renewal of leases for professional officers expiring in 2004;
- viii) Council approved the principle of the construction of residential accommodation for professional staff of the ECOWAS Court of Justice under the supervision of the ad hoc Ministerial Committee on the Construction of Headquarters of Community Institutions. A budgetary allocation of UA 150,000 was made available to the Executive Secretariat to enable it undertake a feasibility study on the residential accommodation needs of staff members of all ECOWAS institutions based in Abuja.
- ix) Council approved the establishment of a small arms unit within the Executive Secretariat.
- x) Council also approved the establishment of a mission planning and monitoring cell within the Executive Secretariat.
- xi) Council approved the setting up of a Peace Fund and authorised the Executive Secretariat to pursue discussions with various partners wishing to contribute to the Fund;
- xii) Council approved a revision of the organogram of the Executive Secretariat which places the Director of Audit under the supervision of the Financial Controller and creates the Division of Sectoral Database Coordination in the Community Computer Centre. The Organogram should also be redesigned to include the ECOWAS Liaison office in Brussels;
- xiii) Council approved payment of compensation for revenue loss under the trade liberalisation scheme to three Member States as follows:
 - Benin - 1,984,703,878 FCFA (for second half of 2002 and first half of 2003)
 - Ghana - 85,472,779,550 cedis (for 1999 – 2002)
 - Togo - 88,656,912 FCFA (for 2002)

56. Council appraised the report of its sub-committee which re-examined the deficit of UA 13,618,371 contained in the 2004 budget proposals of ECOWAS institutions. It approved the following reductions in the budget proposals:

- ECOWAS Permanent Representations in Member States - UA 2,759,812.
- Peace Fund - UA 797,400
- ECOWAS Gender Development Centre - UA 802,040

•	Administrative Budget of the Secretariat	-	UA	1,977,653
•	Secretariat Development Programme	-	UA	5,081,466
	Total			UA 11,418,371

57. Council also decided that part of the budgets of the institutions be funded from arrears of contributions as follows:

•	ECOWAS Parliament	-	UA	750,000
•	WAHO	-	UA	750,000
•	Community Court of Justice	-	UA	700,000
			UA	2,200,000

58. The reductions and arrears commitment which added up to UA 13,618,371 balanced out the 2004 proposed budget which Council approved.

59. The overall budget for the Community institutions funded by their own resources balanced out at UA50,089,869, of which UA40,897,802 will be derived from the Community levy.

N°	INSTITUTIONS	BUDGET INCOME IN UA			
		COMMUNITY LEVY	ARREARS OF CONTRIBUTIONS	MISCELLANEOUS	TOTAL
1.	Court of Justice	2 860 000	1 022 128	28 375	3 910 503
2	WAHO	2 603 987	2 114 087	-	4 718 074
3	Parliament	4 246 478	2 750 000	106 977	7 103 455
4	Executive Secretariat	31 187 337*	3 000 000	170 500	34 357 837
	TOTAL	40 897 802	8 886 215	305 852	50 089 869

* of which UA 574 125 for the Gender Development Centre

* UA 1.6 million for EBID loan repayment

60. On the work programme of the Executive Secretariat, Council recommended as follows:

- the Executive Secretariat should strengthen its capacity in child protection;
- On the common external tariff, Council requested the Executive Secretariat and the National Units to undertake sensitization programmes in collaboration with private sector operators;
- In the preparation of future budgets, Council invited each Department to prepare a statement of the external resources they expect to

receive as part of the financing for its budget. Departments were equally advised to secure Council approval for projects requiring counterpart funding;

- With reference to the post of Head of ECOWAS Liaison Office in Brussels, Council directed the promotion of the incumbent and the alignment of his conditions of service with those of Heads of diplomatic missions or similar representation offices;
- that all subsequent mid-year meeting of the Administration and Finance Commission be devoted to the consideration of administrative matters, and the November meetings for the consideration of the budgets;
- In future, the institutions should prepare detailed and realistic budgets based on well-structured programmes which reflect the priorities for the integration process.

Item 7 (i): Memorandum on the status of the statutory posts: the West African Health Organisation and the External Auditor

61. The memorandum was presented in conformity with the provisions of decision A/DEC.3/7/91, article 1(i) and article 1B(10) on the appointment and evaluation of the performance of statutory appointees. Under the terms of this decision, the Authority of Heads of State and Government has established the conditions of service of the statutory appointees of the ECOWAS institutions.

62. The memorandum addresses the issue of the two statutory posts in the West African Health Organisation and the post of External Auditor. The two posts at the West African Health Organisation were filled by Council under the terms of the following regulations:

- Regulation C/REG.6/8/99 appointing Dr. Kabba Joiner as Director-General of the West African Health Organisation;
- Regulation C/REG.10/12/99 appointing Professor Moussa Adama Maiga as Assistant Director-General of the West African Health Organisation.

63. The two statutory appointees who were appointed for an initial term of 4 years, took office on 1 February 2000. Consequently, their first term is due to expire on 28 February 2004, and is renewable as from 1 March 2004.

64. The post of External Auditor was awarded to the firm of Coopers, Lybrand & Dieye by Authority Decision A/ Dec.6/12/99 of December 1999.

65. In accordance with the provisions of article 1B(1) of the Authority decision referred to above, the mandate of External Auditor was renewed once by decision C/DEC.12/12/01 of the 25th summit of the Authority of Heads of State and Government held in Dakar on 20 and 21 December 2001.

66. Consequently, the mandate of the External Auditor, which has been renewed once, will expire on 31 December 2003. The External Auditor will then be entitled to a final renewal of its mandate as from 1 January 2004.

67. The Executive Secretariat has scheduled a meeting of the ad hoc Ministerial Committee on the Appointment and Evaluation of Statutory Appointees in May 2004. The statutory appointees at WAHO and the External Auditor will be evaluated at this meeting, and the report of this evaluation submitted to the 52nd ordinary session of Council for consideration in June 2004.

68. In view of the above, Council approved the extension of the appointments of the Director-General and the Deputy Director General of WAHO for a period of six months effective from 1st March, 2004, pending their evaluation. The officers concerned are: Dr. Kabba Joiner, Director-General and Professor Moussa Adama Maiga, Deputy Director General.

69. In the case of the External Auditors, Cooper, Lybrand and Dieye, Council recommended to the Authority an extension of their appointment for a period of six months effective from 1st January, 2004, pending their evaluation.

Item 7(ii): Status report on the professional staff housing estate at Katampe as at 30 November 2003

70. Following the additional loan of \$ 4,520,596 granted to the ECOWAS by the Federal Republic of Nigeria in respect of the completion of the Katampe housing project, the ad hoc Ministerial Committee on the Construction of Community Institution gave the necessary directives to the Executive Secretariat for the immediate commencement of works at its session held on 16th July 2003 in Abuja.

71. The Executive Secretariat, in accordance with the directives of the ad hoc Ministerial Committee on the construction of Headquarters undertook the following measures:

- i) A meeting was held on the 28th of August, 2003 with the Contractor, presided over by the Deputy Executive Secretary Administration and Finance, attended by the Consultant, the Acting Director of Finance and the Maintenance Engineer in order to cut down the claims made by the Contractor.

After negotiations, the Contractor agreed to reduce the interest rate charged from 11% to 5% and to stop billing the Secretariat for

Security and maintenance of the site from 31st July, 2003 as a result of the pending resumption of construction work. The Contractors also accepted to waive his claim on interest in respect of the amount due on the payment of the first half of the guarantee that is pending.

- ii) The Secretariat requested the Consultant to revisit the preliminary drawing for covered garages and boys quarters in line with the observations made by the ad hoc Ministerial Committee.

72. All necessary conditions for the resumption of construction work have now been satisfied. However, the deadline for completion of work set for the first half of 2004 fixed by the ad hoc Ministerial committee for the completion of construction appears not to be realistic as the Secretariat has just been paid the amount granted by the Nigerian Government.

73. Council took note of the information given by the Secretariat and asked that necessary measures be taken to ensure resumption of work on the site following the receipt of the funds.

Item 7(iii): Briefing on NEPAD implementation

74. The brief presented by the Executive Secretariat centred on the harmonisation of ECOWAS regional programmes and the NEPAD plan of action, preparation of the NEPAD regional programme, regional project implementation, institutional capacity building and mobilisation of external resources.

75. Council commended the Executive Secretary on the initiatives taken to speed up implementation of NEPAD.

76. Council renewed the directive given to the Executive Secretariat at its 50th meeting in Abuja on 26 and 27 June 2003, to submit a detailed report on the implementation of the NEPAD plan of action adopted at Yamoussoukro, to its next session. The report was expected to focus on progress accomplished, and present the list of identified projects in the various sectors. It was also required to identify difficulties encountered in the implementation of these projects and proffer solutions which would permit the region to benefit fully from the NEPAD initiative.

77. The evaluation report is to be submitted to Council through the meeting of Ministers incharge of NEPAD. The proposal of Niger to host a meeting of Ministers responsible for NEPAD was accepted.

Item 7 (iv): Consideration of the memorandum on the eradication of poliomyelitis in the ECOWAS region

78. The Director-General of the West African Health Organisation presented the following:

- the policy for the eradication of poliomyelitis in West Africa, as a component of the world initiative to eradicate polio by 2005;
- results obtained between 1996 and 2003;
- the special case of Nigeria in the West African context, as reporting an increasing number of polio cases every year.

79. Council requested clarification on the role of WAHO and the contribution expected from ECOWAS in terms of assistance to the Member States in reinforcing the poliomyelitis eradication strategy.

80. Responding to these questions, the Director-General explained the involvement of the West African Health Organisation in surveillance of the epidemiology of the disease, with the collaboration of the WHO Multi-disease Surveillance Centre in Ouagadougou. WAHO is also involved in the enhancement of the capacity of the reference laboratories of Accra in Ghana and Niamey in Niger to carry out epidemiological surveillance.

81. Council encouraged WAHO to take necessary measures towards the eradication of poliomyelitis within the sub-region.

Item 7 (v): Consideration of the memorandum on the terms of reference for the conduct of studies on the enhancement of the powers of the ECOWAS Parliament and election of its members by direct universal suffrage

82. The Executive Secretariat explained that a joint ECOWAS Executive Secretariat/ Parliament meeting had drawn up draft terms of reference for the conduct of studies on the enhancement of the powers of Parliament and election of its members by direct universal suffrage. Council was requested to adopt the draft terms of reference submitted for its consideration and allocate the necessary funds to the Executive Secretariat to enable it to commission the above the studies.

83. Council was of the opinion that the studies on the enhancement of the powers of the Parliament and election of its Members by direct universal suffrage were necessary. It emphasised, however, that these studies should be undertaken by an inter-institutional team made up of officers of the Secretariat and the Parliament. The two institutions should make available to the said inter-institutional team all the resources required for the studies.

Item 7 (vi): Regional transport facilitation and transit programme

84. The memorandum on the regional transport facilitation and transit programme focused on the obstacles impeding the free movement of persons and

goods, and proposed solutions designed to facilitate the transportation and transit of goods.

85. Council adopted the recommendations contained in the memorandum and requested all Member States to remove all obstacles impeding the free movement of persons and goods, and particularly the numerous barriers along West African highways.

86. Council noted a presentation by a representative of ECOMARINE requesting for a dedicated area to berth on West African ports, concessional rates and harmonisation of maritime laws.

Item 7(vii): Liberalisation of air transport in West Africa

87. The memorandum presented by the Executive Secretariat recalled the earlier directive of Council on the implementation of the Yamoussoukro Declaration on the liberalisation of air transport.

88. The memorandum recalled the findings of the multi-disciplinary working group which met from 5 to 7 November 2003, and identified 9 obstacles to the implementation of the Declaration. These include divergences in the interpretation of certain provisions of the Declaration; designation of airlines; application by the countries of old restrictive bilateral air service agreements; failure to harmonise certification standards applied by the Member States; restriction of air traffic rights and approval of tariffs.

89. The Executive Secretariat proposed a plan of action presenting solutions for the removal of the obstacles identified. After deliberations, Council adopted the plan of action and called on the Member States to implement the measures advocated therein in order to speed up liberalisation of the air traffic in the ECOWAS region and the African continent as a whole.

Item 7(ix): Memorandum on the surveillance and monitoring of transhumance between ECOWAS Member States.

90. The Executive Secretariat presented a memorandum on the implementation status of regulation C/REG.3/01/03 of the 49th session of the Council of Ministers regulating transhumance between Member States.

91. The memorandum dwelt on activities undertaken by the Executive Secretariat, which include:

- increase of the budget allocation for the livestock programme;
- development of information, enlightenment and educational programmes;

- monitoring of efforts to resolve conflicts arising in connection with transhumance;
- formulation of concrete proposals to improve existing livestock systems.

92. Council took note of this presentation and directed the Executive Secretariat to pursue its scheduled activities and implement the programme for the improvement of livestock, especially the strategic plan of action for pastoralism and sectoral development.

Item 8: Delegation of powers to the EBID Board of Governors for the appointment of the Managing Directors of its subsidiaries

93. The President of EBID, speaking on behalf of the Chairman of the Board of Governors, raised the issue of delegation of the powers of the ECOWAS Council of Ministers to appoint the Managing Directors of the EBID subsidiaries to the EBID Board of Governors.

94. The President of EBID also recalled that by Protocol A/P2/12/01 on EBID, the Authority of Heads of State and Government decided, within the framework of the transformation of the ECOWAS Fund into a holding company with two subsidiaries, that the President of EBID should be appointed by the Board of Governors. This provision is an amendment to Article 10-3 (b) of the Revised Treaty which stipulates that the ECOWAS Council of Ministers shall appoint statutory staff except the Executive Secretary who shall be appointed by the Authority of Heads of State and Government.

95. Protocol A/P1/12/01 amending Articles 1, 2, 3, 6 and 21 of the revised Treaty and Protocol A/P2/12/01 on EBID make no provision for the appointment of the Managing Directors of the EBID subsidiaries, (ERDF and ERIB) by the EBID Board of Directors. It is therefore necessary to provide for the appointment of the Managing Directors of the two subsidiaries by the EBID Board of Directors, as is the case with the President of EBID.

96. Therefore, pending the outcome of the deliberations of the ad hoc Ministerial committee on the harmonisation of ECOWAS texts, and in order to bring the institutions of the EBID Group into line with international norms, it is hereby recommended to the ECOWAS Council of Ministers to delegate to the EBID Board of Governors the powers to appoint the Managing Directors of the EBID subsidiaries.

97. Council approved the recommendation to delegate its power to appoint the Managing Director of its subsidiary to the Board of Governors of EBID.

Item 9: Adoption of the draft agenda of the twenty-seventh ordinary summit of the Authority of Heads of State and Government

98. The draft agenda of twenty-seventh ordinary summit of the Authority of Heads of State and Government was adopted by Council after amendment.

Item 10: Any Other Business

i. Presentation of the Director-General of the West African Monetary Agency

99. The Director-General of the West African Monetary Agency gave an oral presentation on the decisions of the ordinary meeting of the Committee of ECOWAS Central Banks, held in Accra, on 16 December 2003, focusing on the implementation status of the ECOWAS monetary cooperation programme.

100. After a report on performance under the ECOWAS convergence criteria, the Director-General raised the issue of the problems encountered in the implementation of the monetary cooperation programme. In this regard, he stressed the need for all Member States to strengthen their macroeconomic and structural reform measures in order to bring the Member States into line with the convergence criteria. He also underscored the important role of the mechanism for the multilateral surveillance of the economic and financial policies which must be improved to ensure regular monitoring of the convergence criteria.

101. Council took note of the presentation of the WAMA Director-General and urged all Member States to redouble their efforts to improved the management of their economies. Council also directed the Executive Secretariat, the West African Monetary Agency and the West African Monetary Institute (WAMI) to strengthen their working relations in order to ensure more effective monitoring of the convergence criteria, and facilitate timely implementation of the monetary cooperation programme.

102. Council directed the Secretariat to convene a meeting of the ECOWAS Convergence Council (Ministers of Finance and Governors of Central Banks) to assess compliance with the ECOWAS convergence criteria. This evaluation exercise should be undertaken in collaboration with the WAMA secretariat, in conformity with the decision of the ECOWAS Authority relating to the multilateral surveillance mechanism.

ii. Resolution for the direct payment of contribution by the Member States to WAHO

103. The Director-General of WAHO presented the resolution of the Assembly of Ministers of Health on behalf of the Chairman of the Assembly, Dr Kwaku Afriyie.

104. The resolution appealed to the ECOWAS Council of Ministers to review the ECOWAS Financial Regulations and Manual of Accounting Procedure, in order to enable Member States to make direct payment of contributions to WAHO.

105. After discussion, Council stated that this resolution runs counter to the substantive regime of the Community Levy which has been operational since July 2003. Consequently, WAHO, as a special agency of ECOWAS, should comply with the Community rules and regulations.

iii. Establishment of West African Disaster Arrangement Mechanism

106. The Nigerian delegation proposed the establishment of a Disaster Management Mechanism for the West African region. The presentation recalled that like other African regions, West Africa witnesses both natural and human induced disasters. The causes include climatic hazards, crop failure, pest infestation, chemical and industrial accidents and technological system failure. The effects are catastrophic and widespread and involve disruption of normal life, loss of life and property, and destruction of essential services and public systems.

107. Through the functioning of ECOWAS, West Africa possesses a regional capacity to facilitate disaster reduction and prevention, by the establishment of an early warning system, disaster related information and other disaster management measures. The Nigerian delegation, therefore, proposed the creation of a working group to undertake a study aimed at determining the feasibility of such a regional mechanism, the required legal framework for its creation and other related matters.

108. Council expressed its appreciation for the proposal of such an important initiative. Council also set up a technical committee comprising Côte d'Ivoire, The Gambia, Niger and Nigeria to study the operational modalities for this initiative. Council requested the Executive Secretary to consider the proposal in collaboration with the National Emergency Management Agency of Nigeria, and report back to Committee as soon as possible. The Committee should submit its report to Council.

iv. Countries poorly represented in ECOWAS institutions

109. Council directed the Heads of ECOWAS institutions to pay particular attention to the recruitment of officers who are citizens of countries poorly represented in the ECOWAS institutions. This should, however, be done with due regard to professional competence.

v. Community levy

110. Council noted the observation by the Nigerian delegation that the Executive Secretariat had failed to carry out the mandate given it by the Seventh Extraordinary Session of Council held in Cotonou, in September, 2003 to prepare a detailed plan, programme and budget for the utilization of the Community levy. The programme and budget should be approved by the Council before implementation. In addition, the Secretariat should demonstrate capacity to manage the levy.

vi. Functioning of the Executive Secretariat

111. Council exhorted the personnel of the Executive Secretariat to work with greater determination and devotion to ensure that reports and documents for future meetings are transmitted to Member States not later than two weeks before the meetings hold. Even if a total freeze is not to be placed on missions during the month preceding statutory meetings, Council, nonetheless urged the Executive Secretariat to establish priorities in this regard and ensure proper organisation of future meetings. Council urged the Executive Secretariat to submit the schedule of meetings to be held in next year by end of February, 2004.

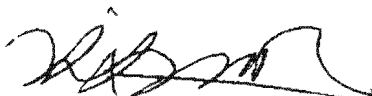
Item 11: Adoption of report

112. This report was adopted.

Item 12: Closing session

113. The current Chairman of the Council of Ministers, Dr. Kofi Konadu Apraku, Minister of Cooperation and NEPAD of the Republic of Ghana, thanked the members of Council and their respective delegations for the sterling work done. The Honourable Minister called on all Member states to play a more active role in the integration process, as a necessary condition for the development of the sub-region.

DONE AT ACCRA, THIS 18TH DAY OF DECEMBER, 2003



DR. KOFI KONADU APRAKU

**CHAIRMAN
FOR COUNCIL**

FIFTY FIRST SESSION OF THE COUNCIL OF MINISTERS

Accra, 15 – 18 December 2003

VOTE OF THANKS

The participants at the Fifty-First Session of the Council of Ministers, holding their session in Accra from 15 to 18 December 2003, express their profound gratitude to **His Excellency John Agyekum Kufuor**, President of the Republic of Ghana, the government and people of Ghana for the warm hospitality extended to all delegations and the excellent facilities put at their disposal to ensure the success of their meeting.

DONE IN ACCRA THIS 18TH DAY OF DECEMBER 2003

THE MEETING

FIFTY-FIRST SESSION OF COUNCIL OF MINISTERS

Accra, Ghana, 15 - 18 December, 2003

CINQUANTE ET UNIEME SESSION DU CONSEIL DES MINISTRES

Accra, Ghana ,15 - 18 Décembre, 2003

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LISTE DES PARTICIPANTS**

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Accra, Ghana

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