

**COMMUNIDADE ECONOMICA DOS  
ESTADOS DA AFRICA DO OESTE**

**ECONOMIC COMMUNITY OF  
WEST AFRICAN  
STATES**





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

**SIXTY – FIRST ORDINARY SESSION OF  
THE ECOWAS COUNCIL OF MINISTERS**

**FINAL REPORT**



 **OUAGADOUGOU, 27 – 29 NOV. 2008** 



COMUNIDADE DOS ESTADOS DA  
AFRICA DO OESTE



ECONOMIC COMMUNITY OF WEST  
AFRICAN STATES

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

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**Sixty-first Ordinary Session of the  
ECOWAS Council of Ministers**

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Ouagadougou, November 2008

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## I INTRODUCTION

1. The sixty-first ordinary session of the ECOWAS Council of Ministers was held at the Sembène Ousmane Conference Centre of the Azalal Independence Hotel in Ouagadougou, from 27 to 30 November 2008

2. The following Member States were represented:

- Republic of Benin
- Burkina Faso
- Republic of Cape Verde
- Republic of Côte d'Ivoire
- Republic of The Gambia
- Republic of Ghana
- Republic of Guinea
- Republic of Guinea Bissau
- Republic of Liberia
- Republic of Mali
- Republic of Niger
- Federal Republic of Nigeria
- Republic of Senegal
- Republic of Sierra Leone
- Togolese Republic

3. The following Institutions and specialized ECOWAS agencies and invited sister organisations were also represented:

- ECOWAS Parliament;
- Community Court of Justice;
- ECOWAS Bank for Investment and Development (EBID);
- West African Health Organisation (WAHO).

- Inter-Governmental Action Group against Money Laundering in Africa (GIABA);
- ECOWAS Gender Development Centre;
- ECOWAS Youth and Sports Development Centre (EYSDC);
- West Africa Power Pool (WAPP);
- Water Resources Coordination Centre (WRCC);
- West African Monetary Agency (WAMA).

4. The list of participants is attached as an annex to this report.

## II. OPENING CEREMONY

- Statement by the President of the ECOWAS Commission

5. In his welcome remarks, the President of the ECOWAS Commission, Dr. Mohamed Ibn Chambas, welcomed the participants and recalled that the Council was holding its session at a time when our region was confronted with challenges inherent in the food and energy and, recently, financial crises, a situation which required more than ever before the consolidation of our regional integration process.

6. The President of the ECOWAS Commission reiterated the Commission's commitment to pursue its collaboration with Member States for more effective ownership and diligent implementation of Community development programmes.

- Welcome and Opening Statement by the Chairperson of ECOWAS Council of Ministers

7. In her opening statement, Mrs. Minata SAMATE CESSOUMA, Deputy Minister to the Minister of Foreign Affairs and Regional Cooperation, in charge of

Cooperation of Burkina Faso and Chairperson of the Council of Ministers welcomed all participants.

8 She indicated that the session would consider administrative and financial issues and urged her colleagues to pay special attention to the concerns of great importance in the enhancement of the performance and the efficiency of the regional institutions at the service of our citizens.

- Swearing-in of the Commissioner for Human Development and Gender

9. After she had been introduced by the President of the ECOWAS Commission, Dr. Adrienne Diop, Commissioner for Human Development and Gender, took the oath of office before the President of the Community Court of Justice.

10. Council took note of the Commissioner's oath and authorized her to discharge her duties and directed that a report of the swearing-in be prepared.

11 Council congratulated the Commissioner for Human Development and Gender and urged her to be dedicated, firm and honest in the discharge of her duties.

- **Election of the Bureau**

12 The following bureau was elected:

- Chairman - Burkina Faso
- Rapporteurs - Republic of The Gambia
- Republic of Mali

• Adoption of the Agenda and Work Programme

13. The draft agenda and draft work programmes, attached as an Annex, were adopted after amendment.

ii. OUTCOME OF DELIBERATIONS

Item 1: Consideration of the 2008 Annual Report of the President of the ECOWAS Commission

14 The 2008 report of the President of the Commission, Dr. Mohamed Ibn Chambas, highlighted the economic performance of the West Africa region, the implementation status of Community programmes, administrative issues and, lastly, the financing of the ECOWAS Commission.

15. The report stressed that, with the discovery of oil in commercial quantities in some Member States and the consolidation of democracy and good governance within our Community, the region's medium-term economic prospects are not gloomy

16 With regard to the implementation of Community programmes, the report highlighted the progress that had been made in the areas of socio-economic, peace, security

17. Before considering the report, Council observed a minute's silence in memory of Honourable Kwadwo Baah Wiredu, former Minister of Finance of Ghana and ex-Member of the ECOWAS Council of Ministers, who died last September in South Africa.

18 Lastly, the Council of Ministers highly commended the President of the Commission for the quality of his report and took note of it.

19. After deliberations, Council made the following recommendations:

**i. Regional Industrialization and Trade Policy**

20. The Council of Ministers requested the Commission to initiate discussions for the formulation of a Regional Industrialization and Trade Policy.

**ii. Economic Partnership Agreement**

21. Council expressed satisfaction with the positive outcome of the negotiations and then urged the Commission to improve communication amongst Member States and the Commission so as to lend support to them for the negotiations with WTO.

**iii. Protocol relating to the Community Levy**

22. The ECOWAS Council of Ministers appealed to all Member States to fulfill their commitment to the implementation of the provisions of the Protocol relating to the Community Levy.

23. The Council of Ministers, following observations made by Nigeria, strongly recommended that special attention be paid to good management of Community resources

24. In this regard, Council directed the Ministerial Audit Committee to submit to it at its next session, a report on the status and outcome of the implementation of the recommendation.

ix. World Financial Crisis

25. The Council of Ministers deplored the poor representation of Africa at the meetings on the global financial crisis and requested the ECOWAS Commission to devise a sub-regional strategy to minimize the effects of the crisis.

**Item 2: Consideration of the Implementation Status of Tasks Assigned to the ECOWAS Commission**

26. The Commission presented the memorandum on the implementation of the tasks assigned to it by the 60<sup>th</sup> Council session.

27. After deliberations on the memorandum, the Council of Ministers reiterated its appeal to the Commission to find a radical solution to the problem of late distribution of meeting documents in the three languages of the Community.

28. The Council of Ministers assigned the following tasks to the Commission:

- (i) Letters of invitation to meetings should be despatched sufficiently in time to enable Council members to fulfil all necessary administrative formalities to facilitate their participation.
- (ii) Meetings should be programmed in a rational manner in consultation with Member States so as to avoid overlaps which often lead to poor attendance by Member States.
- (iii) Efforts should be redoubled with a view to achieving the 60/40 ratio between programme expenditure and operating expenditure
- (iv) Dialogue should be pursued with the host country to provide office accommodation for the staff of the Commission.



Item 3: Consideration of the Financial Controller's 2008 Interim Report

29. The Financial Controller presented her 2008 interim report on the budgetary and financial situation of the Community institutions for the period spanning 1 January to 30 June 2008.

30. Council expressed its concern about the recurrent nature of the issues raised in the Financial Controller's report. After discussions, it directed as follows:

- I. ECOWAS Commission organises a stakeholders' workshop to consider issues hindering the smooth implementation of the community levy protocol and related texts. The meeting shall include the Customs, Treasury, Central Banks and ECOWAS National Units;
- II. ECOWAS Commission negotiates payment plans with the remaining seven member States with contribution arrears as soon as possible taking into consideration the deadline of December 2010 set by the Council of Ministers;
- III. Criteria for recruitment of professional staff should be reviewed to take into account geographical spread and gender without compromising the qualification requirement;
- IV. Temporary/contract appointments should not be converted to permanent appointments without competition;
- V. All institutions should hold budget preparation and review meetings to consider budget submissions and reports;
- VI. The budget coding system should be revised and harmonised taking into account all categories of income and expenditure;
- VII. All institutions should take necessary steps to bring their fixed asset accounts up to date and maintain fixed asset registers;
- VIII. ECOWAS Commission prepares consolidated financial and budgetary reports that would present the global financial and budgetary situation of ECOWAS;
- IX. Clear procedures should be established by the Commission for the use of the Peace Fund, and

4. The staffing of the Department of Finance of the Commission, which is responsible for the management of the Community Levy, should be strengthened to improve the collection and updating of community levy information and records.

**Item 4: Consideration of the Audit Committee's Report**

31. The Audit Committee of ECOWAS Institutions presented a report on its activities for the year 2008 to the Council of Ministers. It covers the following areas:

- The Administrative Audit of West African Health Organisation (WAHO)
- External Auditors' report
- The 2006 Financial Statements of the then ECOWAS Secretariat
- The 2006 Financial Statement of the ECOWAS Parliament
- The 2006 Financial Statement of the Community Court of Justice
- The 2006 Financial Statement of the West African Health Organisation (WAHO)
- The 2005/2006 Financial Statement of the ECOWAS Gender Development Centre (EGDC)
- The 2005/2006 Financial Statement of the Inter-Governmental Action Group Against Money Laundering in West Africa (GIABA)
- The report of the Investigation on WAHO's use of the West African Health Committee (WAC) Account at the Standard Chartered Bank in Ghana
- Financial Controllers 2007 Final Report

32. After deliberations, Council made the following decisions:

- The Task Force set up by the Audit Committee monitor the implementation of the directives relating to the evaluation of WAHC and OCCGE;
- The account domiciled at partner organizations should be closed;

- A balance sheet on the WAHO/OCCGE should be prepared by the new leadership. It should also put forward appropriate solutions to the merger issues;
- Any officer involved in the payment of expenditures committed without prior control (pre-audit) should be given a warning;
- An Internal Auditor should be seconded to WAHO for a period of three months to assist in the management and implementation of the remedial measures;
- A harmonized budget framework based on the programmes to be implemented in 2010 should be established;
- The ECOWAS Commission should pursue high-level consultations with member states that are not applying the Community Levy Protocol and submit a progress report to Council,
- The Commission should submit to Council a proposal on the distribution of surplus resources from the Community Levy;
- The Accounts and Human Resources systems of all ECOWAS institutions should be summarized by 31<sup>st</sup> December 2009, as a matter of priority;
- All Institutions should ensure that their core staff are recruited and build their capacity in order to enhance budget execution, programme implementation and the use of Donor Resources;
- The Managements of Community Institutions should all abide by the provision of the tender's code and the Chief Internal Auditor should ensure compliance.

33. Council also endorsed the proposal made by the Audit Committee and recommended to the Authority of Heads of State and Government to renew the appointment of the External Auditors to audit the 2007 and 2008 accounts of the ECOWAS institutions for the sum of USD 282, 250.

34. Council also approved an amount of USD 12,500 for additional audit activities relating to the 2005 accounts of the Community Court of Justice and the ECOWAS Gender Development Centre. An amount of USD25 000 was also approved for the 2006 additional audit.

35. Council took note of the adoption by the Audit Committee, of the internal structure of the Internal Audit office, its draft programme for the second half of 2008, its draft strategy as well as its recruitment plan

36. With regard to the recruitment plan, Council agreed that:

- The chief internal auditor, in consultation with the Commissioner for Administration & Finance, should refer to the general recruitment plan of the community;
- The issue of redeployment of auditors assigned to the community institutions should be addressed through an appropriate administrative procedure.

37. During the debate and in view of the assertions made by some of its members, Council assigned the following tasks to the Audit Committee.

- a) audit of the Commission's current recruitment process;
- b) consideration, during its various sessions, of the statements of expenditure submitted by the different Institutions, and presentation to Council, of recommendations relating to the outcome of the said exercise.

38. The Audit Committee shall submit a report on these assignments to Council at its next session.

Item 5: Consideration of the Report of the Fourth Meeting of the Administration and Finance Committee

39. This report, presented by the Chairperson of the session, Mrs. Noëlie Marie-Thérèse Ouedraogo, Technical Advisor at the Ministry of Foreign Affairs and Regional Cooperation, was centred on the following items discussed at the meeting:

- implementation status of the tasks assigned to the Commission;
- administrative and financial activities undertaken in 2008;
- 2008 Administrative and Financial Report of the ECOWAS Commission;
- Terms of Reference of the Specialised Technical Committees;
- harmonization of some allowances for the ECOWAS staff,
- implementation status of the Protocol relating to the Community Levy;
- Financial Controller's 2008 Interim Report;
- draft Financial Regulation of the ECOWAS Institutions;
- draft budgets of the ECOWAS Institutions for the 2009 financial year

40. Following the discussions, the Council of Ministers adopted the report of the fourth session of the Administration and Finance Committee with observations and took the following decisions:

- a) In view of the increasing costs, the ECOWAS Commission should initiate a detailed study on the structure and functioning of the institutions of ECOWAS
- b) In preparing draft budgets of the Community institutions, account should be taken of the execution levels of previous years' budgets, as well as the real absorption capacities of the institutions.

- c) The Commissioners should be effectively present at AFC budget sessions in order to present the draft budgets of the departments under them.
- d) in order to ensure better balance in the geographical distribution of positions among Member States, Council directed the President of the ECOWAS Commission to ensure that in all subsequent recruitments in the Commission, priority is given to those countries currently under-represented in all Community institutions, without compromising the qualification requirement; Council further directed that an audit of the current recruitment exercise be carried out;
- e) with regard to the memorandum on the harmonisation of educational grants and spouse allowances of the ECOWAS staff, the Council of Ministers endorsed the position of the Administration and Finance Committee (AFC) for equity and the need to provide all eligible children of the officers of all ECOWAS Institutions with the same opportunities.
- f) adoption of the dependent spouse allowance of 5% of basic salary for all members of staff of the Community Institutions, as stipulated by Article 3 of the Staff Rules;
- g) adoption of an education grant amounting to US \$ 5,500 for the Professional staff and US \$ 3,500 for Category G and M staff for a maximum of four dependent children for all members of staff of the Community Institutions, in accordance with the Staff Regulations;
- h) an upward review of the allowances currently paid to the Parliamentarians as follows:
  - i. the current sitting allowance called attendance allowance of US \$ 100 per day should be increased to US \$ 150 per day,

If the responsibility allowances paid to the Members of Parliament occupying some positions should be adjusted as follows as requested by the ECOWAS Parliament.

Speaker	=	US \$ 2760 per month
Other Bureau members	=	US \$ 2070 per month
Committee Chairmen	=	US \$ 1380 per month
Vice Chairmen of Committees		
1 <sup>st</sup> and 2 <sup>nd</sup> Rapporteurs	=	US \$ 1035 per month

41. The Council of Ministers also approved the following recommendations made by the Administration and Finance Committee:

- a). The allocations provided for WAHO's emergency health interventions should be maintained, pending the conduct of the study on the rationalisation of the special funds, taking into account the emergency disbursement procedures.
- b). Grants allocated for the formulation of national agricultural investment programmes should be promptly made available to Member States.
- c). The Commission should expedite action on the establishment of the Solidarity Fund.
- d). An allocation of US \$ 5 million per annum for two years, with effect from 2009, should be approved for the fund requested by the ECOWAS and UEMOA Ministers of Transport at their meeting of 4<sup>th</sup> September 2008 held in Yamoussoukro for the establishment of a Project Preparation and Development Unit,

as well as a five-year allocation of US \$ 8.684,000 out of which US \$ 1.736.800 will be earmarked for 2009

- e) The special fund for humanitarian emergencies should be doubled with an allocation of UA 500 000 and a special allocation of UA 300 000 for the ECOWAS Youth and Sports Development Centre for the ECOWAS games.

42. Council approved the draft budgets of the Community Institutions as recommended by the Administration and Finance Committee. Council further approved an additional multi-year budgetary allocation of UA 7,986,186 for the Departments under the Commissioner for Macro-economic Policies, of which UA 4,407,370 will be derived from Community Levy resources and UA 3,578,816 from external resources for the implementation of the following special programmes:

- ECOWAS-China Trade Forum Action Plan;
- Establishment of a common investment market;
- Community Development Programme
- 3<sup>rd</sup> ECOWAS Business Forum;
- Establishment of the Economic policy analysis unit at the ECOWAS Commission;
- ECOWA – India Forum.

43. Lastly, the Council of Ministers approved the request made by Cape Verde for a allocation of US500 000 (UA 314 649) for the establishment of the West African Institute for Regional Integration (WAIRI).

44 The financing plan for these programmes for the year 2009 is as follows:

		ECOWAS (UA)	Development Partners (UA)
1	Implementation of the ECOWAS-China Trade	429 825	-



Forum Action Plan			
2	Establishment of a common investment market	912.910	609.000
3	Community Development Programme	1.315.244	314.649
4	3 <sup>rd</sup> ECOWAS Business Forum	223.629	335.445
5	Establishment of the Economic policy analysis unit at the ECOWAS Commission	78.662	471.974
6	ECOWAS – India Forum	204.243	306.365
7	West African Institute for Regional Integration	314.649	-
Total		3.479.162	2.037.433

45. The sources of financing of the budgets and the amounts allocated to each institution following the adoption of requests for additional credits, are presented in the tables below

Table 1: SUMMARY OF DRAFT BUDGET INCOMES OF THE INSTITUTIONS

INCOME	PROPOSAL BY INSTITUTIONS	PROPOSAL BY AFC	VARIATION	
	UA	UA	AMOUNT	%
Community Levy	152 472 230	136 579 787	-15 890 443	-10.42
Reserve Fund	4 418 000	3 750 000	-668 000	-15
Contribution Arrears	14 00 000	2 068 000	668 000	47.7
External Funding	24 421 625	22 707 958	-1 713 667	-7.02
Others	828 368	828 369	0	0
<b>TOTAL</b>	<b>183 540 224</b>	<b>165 933 114</b>	<b>-17 606 110</b>	<b>-9.59</b>

TABLE 2: SUMMARY OF BUDGETARY EXPENDITURES OF THE INSTITUTIONS

INCOME	PROPOSAL BY INSTITUTIONS	PROPOSAL BY AFC	VARIATION

	LA	UA	AMOUNT	%
ECOWAS COMMISSION	123 525 373	1126 655 336	-11 229 043	-8.5
ECOWAS PARLIAMENT	12 070 573	10 958 413	-1,112,160	-9
COMMUNITY COURT OF JUSTICE	10 529 666	10 037 581	-292 085	-3
WEST AFRICAN HEALTH ORGANISATION	15 096 326	13 644 410	-1,451,918	-10
GIABA	7 515 264	4 594 380	-2,920,904	-39
<b>TOTAL</b>	<b>133 540 224</b>	<b>165 934 114</b>	<b>-17 606 110</b>	<b>-9.59</b>

46 The ratios relating to the total budget of the Community Institutions are as follows:

- Programme/total budget ratio: 57%
- Administrative/total budget ratio: 43%

**Item 6: Consideration of the Memorandum on the Request from the Government of Sierra Leone for the endorsement of Dr. Kandeh Yumkella for Re-Election as Director-General of UNIDO**

47. The President of the Commission presented a memorandum based on the request of the Government of Sierra Leone requesting for the endorsement of the Community for the re-election of the Dr. Kandeh Yumkella as the Director General of UNIDO.

48 In recognition of his competence, integrity and proven commitment to the industrialisation of Africa, Council unanimously endorsed the candidature of Dr. Kandeh Yumkella and recommended that the Authority should give its full support to him

A.

**Item 7: Consideration of the Memorandum on the Application of Mr. Michel Sidibe for the post of Director of the Joint United Nations Programme on HIV/AIDS**

49. The President of the Commission presented a memorandum based on the request of the Government of Mali requesting for the endorsement of the Community for the candidature of Dr Michele Sidibe as the Director General of UNAIDS.

50. In recognition of his competence and performance, Council unanimously endorsed the candidature of Dr Michele Sidibe and recommended that the Authority should give its full support to him.

**Item 8 Consideration of the Memorandum on the Draft ECOWAS Directive on Cross-Border Cooperation**

51 After presentation of the memorandum, the Council of Ministers deferred its consideration to its next session and directed the ECOWAS Commission to submit it for consideration by the appropriate technical committee.

**Item 9: Consideration of the conclusions of the 9<sup>th</sup> Meeting of Ministers of Energy**

52. The presentation of the conclusions of the meeting highlighted the status of the energy programmes including in particular the West African Gas Pipeline Project, WAPP Emergency Power Supply Security Plan (EPSSP), the ECOWAS Regional Electricity Regulatory project, the implementation of the Regional Policy for Access to Energy Services, the pilot project on energy efficiency and establishment of the West African Regional Centre for Renewable Energy and Energy Efficiency.

53. Council endorsed the proposal made by the Ministers of Energy who requested the ECOWAS and UEMOA Commissions to prepare a special action plan for the provision of electricity to Guinea Bissau

54. After discussion, Council directed the ECOWAS Commission to make amendments to the memorandum on the choice of the headquarters of the two institutions involved in the energy sector in order to reflect the Republic of Ghana's wide experience in regulatory matters, which the Republic of Guinea does not have. This experience taken into account in the final decision is not specifically mentioned in the memorandum.

55. The Council of Ministers endorsed the conclusions and recommendations of the meeting and agreed to adopt them as follows:

- **Establishment of an ECOWAS Regional Centre for Renewable Energy and Energy Efficiency.**

56. Council recommended to the Authority to adopt the draft Supplementary Act establishing the ECOWAS Regional Centre for Renewable Energy and Energy Efficiency (ERCREE).

- **Headquarters of the ECOWAS Regional Centre for Renewable Energy and Energy Efficiency (ERCREE)**

57. Council recommended to the Authority to adopt the draft Supplementary Act determining the host country of the headquarters of the ECOWAS Centre for Renewable Energy and Energy Efficiency (ERCREE) and stipulating that the headquarters of the Centre shall be situated in Praia, Republic of Cape Verde.

- **Headquarters of the ECOWAS Regional Energy Regulatory Authority (ERERA)**

58. Council recommended to the Authority to adopt the draft Supplementary Act determining the host country of the headquarters of the ECOWAS Regional Energy Regulatory Authority (ERERA) and stipulating that the headquarters of the Centre shall be situated in Accra, Republic of Ghana.

- **Amendment of Regulation C/REG.27/12/07 readjusting the posts of Members of the ERERA Council**

59. The draft Regulation modifying Articles 5, 12, 13 and 39 of Regulation C/REG.27/12/07 and readjusting the posts of Members of the ERERA Council was adopted.

**Item 10: Consideration of the memorandum on the implementation of the directive of the Authority relating to the structure of the Commission and the Rules of Procedure of the Institutions of the Community**

60. The ECOWAS Commission presented to Council, a report on the implementation of the directive given to it by the thirty-fourth ordinary session of the Authority of Heads of State and Government to prepare a study to determine an appropriate structure for the Commission. The Commission informed Council that a committee had been set up and had been working on proposals designed to ensure the effective functioning of the Commission and the effective implementation of Community decisions.

61. After discussions, Council directed the Commission to expedite action on the study and submit its findings to its forthcoming session in June 2009.

62. The Commission further informed Council that preliminary draft Rules of Procedure for the Authority, the Council of Ministers, the ECOWAS Commission and the Administration and Finance Committee had been prepared as prescribed by the Authority of Heads of State and Government on 23 June 2008. It requested Council to adopt the draft Regulation prepared on the nomenclature of the Commission in order to specify the names of the Commissioner's offices and the departments headed by directors, pending the finalization of the draft Rules of Procedure referred to above.

63. After considering the Commission's report, Council adopted the new nomenclature proposed and requested that measures be taken to ensure that the new designations of the Commission's structures do not entail extra costs and staff. Council further directed the Commission to commission an independent organ to undertake a study to assess the Commission's structures and formulate the draft Rules of Procedure.

**Item 11: Consideration of the Memorandum on the Directives of the Authority relating to the transmission to the Member States of the Acts submitted at its 34<sup>th</sup> Session**

64. The ECOWAS Commission reminded Council of the Directive of 23 June 2008 on the transmission of the draft Supplementary Acts, Directive and Recommendations submitted at the 34<sup>th</sup> Ordinary Session of the Council of Ministers. It informed Council of the implementation of this Directive and other measures taken by the Commission, such as the organization in Bamako and Accra of two Meetings of Experts of Member States with a view to further enriching the aforementioned draft texts.

65. Council congratulated the Commission on its report and agreed to recommend the draft Supplementary Acts, Directive and Recommendation

concerned for adoption by the 35<sup>th</sup> Session of the Authority of Heads of State and Government.

**Item 12: Consideration of the Report of the Judicial Council responsible for selecting three Judges for the Community Court of Justice**

66. The meeting of the Judicial Council was on the short-listing and interview of the candidates for the posts of judges allocated respectively to the Republic of Benin, the Republic of Cape Verde and the Republic of Cote d'Ivoire.

67. After the short-listing process the Judicial Council selected three applications for each of the Member States concerned:

**Interview procedure**

68. The Judicial Council adopted the following procedure:

- a) The candidates shall be interviewed based on a pre-established list of seven questions covering professional aspects, general questions and language skills;
- b) The Chairman of the Committee shall distribute specific questions to the Members;
- c) The same questions should be asked to all candidates to the same position for the sake of equity.

**Scoring system**

A. Scoring based on information provided in the CV (Collective scoring):

ff

		Maximum score
1	Academic and professional qualifications	30
2	Professional experience	25
	Total	55

**B. Scoring at the interview (individual scoring):**

		Maximum score
3	Performance at the interview	40
4	Language	5
	Total	45

**C. Overall Total (A+B):**

		Maximum score
1.	Total A	55
2.	Total B	45
3	Overall Total (A+B)	100

**D. Average score for eligibility:**

		Minimum score
1.	Average for eligibility	70

**DISCUSSION WITH THE CANDIDATES**

69. Average scores obtained based on the scores awarded to each candidate by the Committee Members are as follows, according to merit:



**BENIN**

	Candidates	Average score
1 <sup>st</sup>	Clotilde Medegan Nougbo	86.4
2 <sup>nd</sup>	Deguenon Lucien Aristide	85.1
3 <sup>rd</sup>	Degbey Vincent Kouassi	77.7

**CAPE VERDE**

	Candidates	Average score
1 <sup>st</sup>	Benfeito Mosso Ramos	88.4
2 <sup>nd</sup>	Sara Maria Andrade	75.4
3 <sup>rd</sup>	Otelindo Lévy Rivera Jésus	58.8

**COTE D'IVOIRE**

70. The Judicial Committee noted that Mrs. Fatou Diakite was not present at the interview. Consequently, the following two candidates were interviewed.

	Candidates	Average score
1 <sup>st</sup>	Elliam Monsedjoueni Potey	80.70
2 <sup>nd</sup>	Madou Gaba Felix	77.4
3 <sup>rd</sup>		

71. The Judicial Council requests the Council of Ministers to recommend to the Authority of Heads of State and Government appoints the following candidates who obtained the highest average scores, namely

Member States	Candidates	Member State
Benin	Clotilde Medegan Nougbo	86.4

Cape Verde	Benfeito Mossó Ramos	88.4
Cote d'Ivoire	Elliam Monsedjoueni Potey	80.70

72. Following the discussions, the Council of Ministers recommended to the Authority of Heads of State and Government to approve the appointment of the afore-mentioned candidates.

**Item 13: Consideration of the Agenda of the Thirty-fifth Ordinary Session of Heads of State and Government**

73 Council considered and adopted the draft agenda of the Thirty-fifth Ordinary Session of the Authority of Heads of State and Government of ECOWAS as amended.

**B. Items for Adoption**

**Item 1: Presentation of Report of the Meeting of ECOWAS Ministers of Women Affairs**

74. The Report of the Meeting of ECOWAS Ministers of Women Affairs which was held in Banjul on 12<sup>th</sup> and 13<sup>th</sup> May 2008 and the Strategic Plan of the ECOWAS Gender Development Centre (EGDC) were presented by Honourable Celine Yoda Konkobo, Minister of Women Affairs of Burkina Faso

75. Mrs. Yoda pointed out the main objectives of the meeting, namely validation and adoption of the EGDC Strategic Plan 2009 – 2013 and adoption of proposals on the involvement of institutional mechanisms for the promotion of gender equality in the implementation of the EGDC strategic plan

76. Mrs. Yoda submitted for the consideration of the Council of Ministers the conclusions of the Ministerial meeting and took the following decisions:

- to adopt the EGDC Strategic Plan 2009 – 2013 as the main tool for the promotion of gender equity and equality in the ECOWAS region,
- to support the ECOWAS Gender Development Centre to take all the necessary measures for the effective implementation of the strategic plan ;
- to strengthen the mechanisms of cooperation between the Ministries of Women Affairs and the Gender Centre with the view to enhancing the promotion of gender equality in the ECOWAS region;
- To support ECOWAS Heads of State and Government in the creation of an enabling environment for the attainment of gender equity and equality in the ECOWAS region,
- to adopt the EGDC Strategic Plan for 2009 – 2013;
- to recognise the EGDC Consultative Committee as an advisory body of the Gender Centre;
- to create a space for the Minister responsible for Women's Affairs of the country chairing ECOWAS to enable him to inform the Heads of States of the gender situation in the ECOWAS region at each Summit of Heads of State and Government;

77. The meeting also recommended that the ECOWAS Commission should:

- provide the Gender Centre with the human, financial and material resources necessary for its smooth functioning and the effective execution of its mandate,
- proceed, as a matter of urgency, with the recruitment of the requisite staff of the Gender Centre in order to facilitate the effective implementation of the strategic plan ;

- take all necessary measures to ensure that the gender issue is mainstreamed into national policies and in sectoral development programmes and projects.

**Item 2: Consideration of the Report of the ECOWAS Ministers of Children's Affairs**

78 The Chairman of the meeting of ECOWAS Ministers of Children's Affairs, Madam Tapsoba Sanou Francoise, presented to the Council of Ministers, the report of the Ministers of Children's Affairs and ECOWAS Child Policy. The report highlighted, among others, the need to enhance the rights and protection of children against all forms of violence and abuse. After the presentation of the report, the Council of Ministers unanimously agreed to recommend to the Authority of Heads of State and Government for adoption.

**Item 3: Report of the meeting of ECOWAS Ministers of Youth and Sports**

79 After presentation of the reports of ECOWAS Ministers of Youth and Sports, held in Cotonou in July 2008, the ECOWAS Council of Ministers approved the report with the following specific measures contained therein:

- Organization of ECOWAS games in July/August 2009 in Cotonou;
- Implementation of the ECOWAS Volunteer Programme;
- Setting up of an ad hoc committee to brainstorm on current sports management issues and increase in national budgets for youths and sports programmes.

**Report of the meeting of ECOWAS Youth Ministers**

30. The ECOWAS Council of Ministers endorsed the draft Youth and Sports Policy and its 2009-2013 Strategic Plan of Action formulated by the Ministers of Youth and agreed to recommend the two documents for adoption by the Authority of Heads of State and Government.

**Item 4: Consideration of the Report of ECOWAS Ministers of Health**

81. The report of the 9<sup>th</sup> Ordinary Assembly of the ECOWAS Health Ministers was presented by Mr. Seydou Bouda, Minister of Health of Burkina Faso.

82. The main conclusions of the assembly which were presented to Council for submission to the Authority for adoption are as follows:

- Adoption of WAHO's 2009-2013 strategic Plan
- Appeal to the African Union for the creation of a fund control of Neglected Tropical diseases.
- Recommendations aimed at strengthening WAHO's interventions in the control of epidemics, brain-drain, health information, the management of AVR's and cross-border surveillance against re-infestation from Onchocerciasis.
- The assembly also recommended to the ECOWAS Commission and WAHO to reinforce their communication and redouble their efforts to ensure the effective implementation of compulsory food fortification within ECOWAS.

83. Council adopted the report and recommended it for adoption by the Authority of Heads of State and Government

**Item 5: Report of the ECOWAS Ministerial Conference on Illicit Drug Trafficking**

84. The Chairman of the ECOWAS Ministerial Conference on Illicit Drug Trafficking as a Security Threat to West Africa, Mr. Emile Ouedrago, Honourable Minister of Security of Burkina Faso, presented the report of the Ministerial Meeting held in Praia, Cape Verde, from 28th to 29th October, 2008. In his presentation, he stated that the purpose of the meeting was to examine and endorse for adoption by the Authority of Heads of State and Government, a Political Declaration and a Regional Action Plan to tackle the problem of illicit drug trafficking, organised crimes and drug abuse affecting the region.

85. The Council of Ministers endorsed the following recommendations made by the Ministerial Conference on illicit drug trafficking:

- The need for increased allocation of resources for the adoption effective and sustainable measures on prevention of drug abuse, drug trafficking and organised crimes in West Africa.
- The Commission should centralise drug control measures within an appropriate structure under the direct supervision of the President of the ECOWAS Commission in order to facilitate the management and coordination of the implementation of regional and national drug control strategies.
- The ECOWAS Commission should prepare a realistic, time bound and costed implementation plan with appropriate performance indicators, and a monitoring and evaluation framework.

86. After debate, Council recommended to the Authority to adopt the aforementioned recommendations, as well as the political declaration and the ECOWAS Regional Action Plan on illicit drug trafficking.

**Item 6: Report of the 7<sup>th</sup> Meeting of ECOWAS Ministers of Telecommunications and ICT**

87. The Council of Ministers deferred the consideration of this report to its next session

**Item 7: Report of the joint meeting of ECOWAS/UEMOA Ministers of Transport**

88. Following the directive to the ECOWAS Commission to concentrate its efforts on the development of regional infrastructure by the Authority of Heads of State and Government on the 23rd of June 2008, the ECOWAS Commission, under the sponsorship of His Excellency Mr Laurent GBAGBO President of the Government of Cote d'Ivoire, organised a Joint Meeting of Ministers of Transport of ECOWAS and UEMOA Member States in Yamoussoukro, Cote d'Ivoire on the 14<sup>th</sup> September 2008

89. The Meeting of the Ministers of Transport reviewed the implementation of the regional transport programme, and in particular considered and adopted the report submitted by transport Experts from Member States, who met on 2nd and 3rd September 2008.

90. The Ministers noted progress made in the implementation of sectoral policies and programmes relating to the road, railway, sea and inland waterways subsectors as well as air transport noting also the various constraints to the development of the transport sector, in particular those relating to lack of coordination of national and regional programmes.

91. Following their deliberation, the Ministers passed ten (10) resolutions relating to the railway, maritime and inland water transport subsector, air transport as well as coordination between the ECOWAS and UEMOA Commissions and the set up and funding of the Project Preparation and Development Unit (PPDU). They recommended the resolutions for adoption by the Council of Ministers and the Authority of Heads of State and Government

92. Council endorsed the report and directed that the PPDU be domiciled at EBID so as to enable it benefit from the experiences of that Institution in the field of project preparation and execution.

### C. Items for information

**Item 1: Report on the status of progress on the Negotiations of the Economic Partnership Agreement (EPA) between West Africa and the European Commission**

93. In the Memorandum presented on the status of the EPA negotiations between West Africa and the EU, the Commission pointed out that that measures had been taken in major areas contributing to the conclusion of an EPA that has the capacity to strengthen regional integration and is sustainable development-friendly. The areas are:

- monitoring of the interim agreements;
- definition of the EPA Development Programme;
- preparation of the region's market access offer;
- preparation of the text of the agreement.

94. The Council of Ministers took note of the progress made in the negotiations, notably in the preparation of the regional liberalization schedule, formulation of development programmes and drafting of the text of the Agreement. The Council



encouraged negotiators to continue their efforts in order to reach an agreement which would safeguard the region's interest

95. Recalling the principle of a regional agreement covering all West African countries, and reaffirming their commitment to a participatory and unified approach to the negotiations, the Council took note of the progress made in harmonization of some provisions of the interim agreements. It recommended the two Commissions to accelerate the negotiations in view to signing a regional comprehensive trade agreement vis-à-vis the European Union, by the expiration of the June 2009 deadline, at which point the interim agreements would cease to exist.

96. The Council of Ministers took note of the major axes and the guiding principles of the EPA Development Programme (EPADP), which forms an integral part of the Community Development Programme. It recommended the two Commissions to accelerate the formulation and financing of this programme, taking into consideration coherency with national/regional strategies; the specific needs of the landlocked, island and post-conflict member States; as well as level of development of the West Africa region

97. The Council also took note of the progress made in the preparation of a regional list of sensitive products as part of the market access offer. It noted, the divergent views of the two regions on the interpretation of Article XXIV of GATT pertaining to the establishment of a free trade area (timeframe for tariff removal and scope of market access) and stressed the importance of maintaining a position that is development-oriented and takes into consideration the needs of the region.

98. Regarding the negotiations on the draft text prepared by the region, the Council expressed satisfaction on the progress made between the two parties, but noted the number of diverging points such as elimination of certain taxes which are fundamental for national and regional organizations, and a number of clauses which would restrict the development of future negotiations with third parties. The

two Commissions recommended that all necessary steps be taken to resolve the differences while protecting the region's interests.

99. Council directed the ECOWAS Commission to take all necessary measures to finalise, by end of June 2009, the outstanding tasks required to conclude a fair, balanced and development-oriented agreement which takes into consideration the concerns of West Africa's population and called for the commitment of all actors towards this objective.

**Item 2: Progress Report on the ECOWAS Common External Tariff (CET)**

100. The Commission presented a progress report on the ECOWAS common external tariff (CET). In this presentation, the Commission reviewed the recommendations made by the Heads of State and Government and the EPA Ministerial Monitoring Committee (MMC) for the establishment of the ECOWAS CET, as well as the various tasks carried out towards the implementation of the recommendations.

101. The Council of Ministers took note of efforts by the ECOWAS and UEMOA Commissions to finalise the study commissioned on the creation of a fifth band and the reclassification of certain products, and conclude negotiations on the Type B exception list of products. The Council also took note of the invitation by the EPA Ministerial Monitoring Committee (MMC) held in Banjul on 31 October 2008, based on the recommendations by the two Commissions, to adopt the creation of a 5<sup>th</sup> band in the ECOWAS CET at a 35% rate. Similarly, the Ministers acknowledged the conclusions of the 5<sup>th</sup> ECOWAS-UEMOA Joint Management Committee on the ECOWAS-CET held in Abuja from 18 – 21 November 2008. The conclusions will be submitted to the Technical Committee on Trade and Customs

102. Council called upon the Joint Committee on the Management of the ECOWAS Common External Tariff (CET) to accelerate the on-going work for the establishment of the list of products to be included in the fifth band, as well as the reclassification of certain products. In view of the importance of and the urgent need for the establishment of the CET, and considering the ongoing EPA negotiations, Council urged Member States to act in a spirit of solidarity and cooperation in order to conclude a development-oriented CET.

103 In this context, the delegation of Cape Verde requested the ECOWAS Commission to take account of the need for adjustment in view of the existence in this country, of a 50% -rate fifth band. It also requested that its list of products should cover services in particular.

**Item 3: Memorandum on the Outcome of the first China – ECOWAS Trade and Economic Forum held in Beijing and Wuhan from the 23rd to 26th of September 2008**

104. The Commission presented the outcome of the China – ECOWAS Economic and Trade Forum that was held in Beijing and Wuhan, China, from the 23rd to 26th of September 2008. Overall, the Forum was adjudged as successful for the following reasons:

- Over 1000 participants (400 from the ECOWAS Region) from the private and public sectors, as well as Government Officials, exceeded the target of 900;
- for the match-making sessions in Wuhan, the Commission stated that it was a challenge to end the session as both Chinese and ECOWAS regional operators were keen to continue with the discussions;
- the total public and private sector projects mobilised from the ECOWAS region was US\$38bn, of which:

- o regional, cross-country and country infrastructure projects amounted to US\$25.8bn;
- o private sector-led projects amounted to US\$12.2bn.

105. At the end of the Forum, Chinese Companies confirmed interest in specific infrastructure projects amounting to US\$8bn. These Companies have since followed up on this by confirming their desire to visit the Commission and the countries involved in January / February 2009 to pursue discussions leading to the signing of agreements, the commissioning and commencement of the projects involved. The Commission also informed Council that from 2-5 November 2008, a high-level delegation from the Nanjing Municipal Peoples' Government visited the ECOWAS Commission to pursue discussions on the establishment of the ECOWAS Market, Investment and Trade Centre in Nanjing, China – A follow-up to one of the MOUs signed after they completed their preliminary feasibility studies on the project.

106. Ten (10) Memoranda of Understanding (MOUs) were signed with Chinese Institutions covering Partnership and Economic Relationship with China Council for the Promotion of International Trade, Infrastructure, and Agriculture, etc.

107. A number of MOUs were also signed between Private Sector Operators from China and the ECOWAS region.

108. The Commission concluded the presentation by informing Council that an Action Plan had been prepared. It thanked Council for approving a supplementary budget for the implementation of the Action Plan. The Commission also asked for Member States' full support for the implementation of the Action Plan which will be sent out to Member States in December 2008, in addition to the full report on the outcome of the Forum.

D. Any other business

- Status of the creation of the West Africa Institute for Regional Integration (WAIRI)

109. Cape Verde's delegation presented a report to the Council of Ministers on the outstanding issues slowing the creation of this institute. The issues are:

- Determination of the status of the institute either as a specialized agency of ECOWAS or otherwise;
- involvement of non-ECOWAS institutions in the governing organ of the West Africa Institute Regional Integration (WAIRI);
- organisational, intellectual, administrative and financial autonomy of the Institute.

110 The delegation of Cape Verde also indicated that the Government of Cape Verde had prepared a draft supplementary act and draft statutes of the institute as a specific specialized agency within the framework of ECOWAS and that the agency would be launched no later than January 2010, using the sum of US\$500 000 granted by ECOWAS in 2009 to underpin the project.

- Presidential and legislative elections in Ghana in December 2008.

111. Ghana's delegation informed Council that measures had been taken to ensure free and transparent elections. It requested all Member States to appeal to their nationals in Ghana and in the neighbouring countries to abstain from all acts or behaviour that may disrupt the smooth organisation of the elections.

112. In response, Council informed the delegation that, in line with the Supplementary Protocol on Democracy and Good Governance, the ECOWAS Commission had dispatched a two-hundred observer team led by former President Yakubu Gowon. By so doing, the Commission reaffirmed its commitment to support Ghana in the organization of free, fair, credible, transparent and peaceful elections

- **Candidature of Dr. K. F. Nwanze for the post of President of IFAD**

113. The Nigerian delegation informed Council of the candidature of Dr. K.F. Nwanze, a Nigerian citizen and current Vice-President of the International Fund for Agricultural Development.

114. The Council of Ministers considered the proven competence and integrity of Dr. Nwanze and unanimously recommended to the Authority of Heads of State and Government to fully support his candidature.

#### **E. Adoption of the Report**

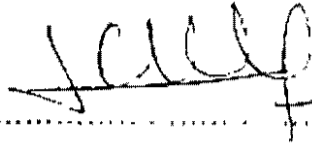
115. The report was adopted after amendment.

#### **III. Closing Ceremony**

116. The Chairperson of the Council of Ministers thanked the participants for their positive inputs at the meeting and for the spirit of consensus that had prevailed throughout the session. She expressed her appreciation to Council for considering all the items on the agenda and sub-tending our pursuit of concrete measures that could impact positively on our populations. Before declaring the session closed,

she wished the participants safe journey back to their respective countries and expressed her best wishes for happy end-of- year festivities

**DONE AT OUAGADOUGOU, THIS 29TH DAY OF NOVEMBER 2008**



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**H.E. MRS. MINATA SAMATE CESSOUMA**  
**CHAIRPERSON**  
**FOR COUNCIL**