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**SUPPLEMENTARY PROTOCOL A/SP1/12/01  
AMENDING ARTICLES 1, 3, 6 AND 21 OF THE  
REVISED TREATY OF THE ECONOMIC COMMUNITY  
OF WEST AFRICAN STATES**

## **THE HIGH CONTRACTING PARTIES,**

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

**MINDFUL** of Article 21 paragraphs 1 and 2 of the Treaty establishing the Fund for Cooperation, Compensation and Development;

**MINDFUL** of Article 1 of the Treaty defining the Fund for Cooperation, Compensation and Development;

**MINDFUL** of Article 3 paragraph 2(n) defining the establishment of a Fund for Cooperation, Compensation and Development as a stage to achieving the aims of the Community;

**MINDFUL** of Article 6 paragraph 1 (g) of the Treaty listing the Fund for Cooperation, Compensation and Development as one of the Institutions of the Community;

**MINDFUL** of Decision A/DEC.4/12/99 relating to the transformation of the ECOWAS Fund into a holding company with two subsidiaries;

**DESIRING** to conclude a Supplementary Protocol amending Articles 1, 3, 6 and 21 of the Treaty to reflect the transformation of the ECOWAS Fund into a holding company called the ECOWAS Bank for Investment and Development with two subsidiaries;

**HAVE AGREED AS FOLLOWS:**

### **ARTICLE 1**

References to "Fund" and "Statutory Appointees" in Article 1, Article 3, paragraph 2(n), Article 6, paragraph 1 (g) and Article 21 of the Treaty signed in Cotonou on 24 July 1993 are hereby abrogated and replaced with the following new provisions:

#### **New Article 1**

"Bank" shall mean the ECOWAS Bank for Investment and Development established by Article 21 of this Treaty;

"Statutory Appointees" includes the Executive Secretary, Deputy Executive Secretaries, President of the ECOWAS Bank for Investment and Development (EBID), Managing Director of ECOWAS Regional Investment Bank (ERIB), Managing Director of ECOWAS Regional Development Fund (ERDF) and any other senior officer of the Community designated as such by the Authority.

### **New Article 3, paragraph 2(n)**

“The establishment of the ECOWAS Bank for Investment and Development (EBID) and its subsidiaries, the ECOWAS Regional Investment Bank (ERIB) and the ECOWAS Regional Development Fund (ERDF)”

### **New Article 6 paragraph 1 (g)**

"ECOWAS Bank for Investment and Development (EBID) and its subsidiaries:

- ECOWAS Regional Investment Bank (ERIB);
- ECOWAS Regional Development Fund (ERDF)".

### **New Article 21**

“1 There is hereby established a Holding Company called ECOWAS Bank for Investment and Development (EBID). It shall have two subsidiaries, namely, ECOWAS Regional Investment Bank (ERIB) and ECOWAS Regional Development Fund (ERDF).

2 The status, objectives and functions of the ECOWAS Bank for Investment and Development are defined in the Protocol relating thereto".

3 The status, objectives and functions of the two subsidiaries are defined in their respective Articles of Association".

## **ARTICLE 2**

1 The ECOWAS Bank for Investment and Development and its subsidiaries shall assume all the rights and obligations of the Fund for Cooperation, Compensation and Development.

2 In the Protocols, Decisions, Resolutions and the other instruments of the Community adopted since 1975, the name “Fund for Cooperation, Compensation and Development” shall be replaced by “The ECOWAS Bank for Investment and Development and its subsidiaries”.

3 The Board of Directors of the Fund for Cooperation, Compensation and Development shall supervise the transitional period until the establishment of the various organs of the ECOWAS Bank for Investment and Development and its subsidiaries.

## ARTICLE 3

### ENTRY INTO FORCE, RATIFICATION AND DEPOSITORY AUTHORITY

- 1 This Supplementary Protocol shall enter into force upon ratification by at least nine (9) signatory States in accordance with the constitutional procedures of each signatory State.
- 2 This Supplementary Protocol and all instruments of ratification shall be deposited with the Executive Secretariat which shall transmit certified true copies of this Supplementary Protocol to all Member States and notify them of the dates of deposit of the instruments of ratification and shall register this Supplementary Protocol with the Organisation of African Unity, the United Nations Organisation and such other organisations as the Council shall determine.
- 3 This Supplementary Protocol shall be annexed to and shall form an integral part of the Revised Treaty.

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

**DONE AT DAKAR THIS 21<sup>ST</sup> DAY OF DECEMBER 2001**

**IN ONE SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES, THE TWO  
TEXTS BEING EQUALLY AUTHENTIC.**

**Signed**

**H.E. Mathieu KEREKOU**  
*President of the Republic of BENIN*

**signed**

**H.E. Blaise COMPAORE**  
*President of FASO  
Chairman of the Council of Ministers*

**Signed**

**H.E. Jose Maria Pereira NEVES**  
*Prime Minister and Head of Government  
of the Republic of CAPE VERDE*

**signed**

**H.E. Abou Drahamane SANGARE**  
*Minister of State  
Minister of Foreign Affairs  
For and on behalf of the President of the Republic  
of COTE D'IVOIRE*

**Signed**

**H.E. Yahya A.J.J. JAMMEH**  
*President of the Republic of The GAMBIA*

**signed**

**H.E. John Agyekum KUFUOR**  
*President of the Republic of GHANA*

**Signed**

**H.E. Lamine SIDIME**  
*Prime Minister of the Republic of GUINEA*

**signed**

**H.E. Koumba Yala Kobde NHANGA**  
*President of the Republic of GUINEA-BISSAU*

Signed

**H.E. Monie R. CAPTAN**

*Minister of Foreign Affairs*

*For and on behalf of the President of the  
Republic of LIBERIA*

signed

**H.E. Alpha Oumar Konare**

*President of the Republic of MALI*

signed

**H.E. MINDAOUDOU Aichatou (Mrs)**

*Minister of Foreign Affairs*

*For and on behalf of the President of the  
Republic Of NIGER*

signed

**H.E. Olusegun OBASANJO**

*President, Commander-in-Chief*

*of the Armed Forces of the Federal Republic of  
NIGERIA*

signed

**H.E. Abdoulaye WADE**

*President of the Republic of SENEGAL*

signed

**H.E. Alhaji Dr. Ahmad Tejan KABBAH**

*President of the Republic of SIERRA LEONE*

signed

**H. E. Gnassingbe EYADEMA**

*President of the Togolese Republic*