



Official Journal

41 Suppl

of the Economic Community of
West African States (ECOWAS)

English Edition

May 2002

CONTENTS

PAGE

DECISIONS

1. DECISION A/DEC.1/05/02 ON THE SECURITY SITUATION IN LIBERIA 1
2. DECISION A/DEC.2/05/02 ESTABLISHING AN INSTITUTIONAL AND REGULATORY FRAMEWORK FOR THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD) 2

RESOLUTIONS

1. RESOLUTION A/RES.1/05/02 ON PROGRESS TOWARDS DEMOCRACY IN WEST AFRICA. 3
2. RESOLUTION MMSC/RES.1/05/02 ON THE SECURITY SITUATION IN LIBERIA 4

REGULATIONS

1. REGULATION C/REG.1/4/02 RELATING TO THE STRENGTHENING OF THE INTERNAL ORGANISATION OF THE EXECUTIVE SECRETARIAT. 6
2. REGULATION C/REG.2/4/02 APPOINTING THE PRESIDENT OF THE ECOWAS BANK FOR INVESTMENT AND DEVELOPMENT (EBID). 7
3. REGULATION C/REG.3/4/02 ESTABLISHING PROCEDURE FOR THE APPROVAL OF ORIGINATING PRODUCTS OF BENEFIT UNDER THE ECOWAS TRADE LIBERALIZATION SCHEME. 8
4. REGULATION C/REG.4/4/02 ADOPTING AN ECOWAS CERTIFICATE OF ORIGIN. 13
5. REGULATION C/REG.5/4/02 RELATING TO THE ASSESSMENT OF THE COMPONENTS MAKING UP THE EX FACTORY PRICE A FINISHED PRODUCT BEFORE TAX, AND THE VALUE-ADDED. 15

RECOMMENDATIONS

1. RECOMMENDATION C/REC.1/4/02 RELATING TO THE DEFINITION OF THE CONCEPT OF PRODUCTS ORIGINATING FROM MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES. 17

2. RECOMMENDATION C/REC.2/4/02 RELATING TO THE APPLICATION
OF COMPENSATION PROCEDURES FOR LOSS OF FTEVENUE INCURRED
BY ECOWAS MEMBER STATES AS A RESULT OF THE TRADE
LIBERALIZATION SCHEME.

18

FINAL COMMUNIQUE

19

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

YAMOUSSOUKRO, 17TH MAY 2002

**DECISION A/DEC. 1/5/02 on the
Security Situation in Liberia**

**The Authority of Heads of State and
Government**

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 Protocol relating to the Mechanism for Conflict Prevention Management, Resolution, Peacekeeping and Security signed by the Heads of State and Government in Lome on 10th December 1999.

Mindful of the Protocol on Democracy and Good Governance adopted by the Authority of Heads of State and Government in Dakar on 21st December 2001.

Mindful of the ECOWAS Declaration on Political Principles adopted in Abuja on 6th July 1991.

Mindful of Principles set out in the OAU Solemn Declaration on Security, Stability, Development and Cooperation in Africa adopted in Abuja on 8 and 9 May 2000 and the Decision AHG. Dec 142 (xxv) on the framework for OAU's reaction to unconstitutional change of government, adopted in Algiers in July 1999.

Recalling our Decision taken at the Twenty-fifth session of the Summit in Dakar, 20-21 December 2001, condemning the activities of armed rebels in Liberia particularly the LURD and approving the imposition of sanctions against these armed movements.

Considering the continuing rebel armed attacks on the Government of Liberia leading to loss of lives and property, the internal displacement of persons and

refugees and the potential for the creation of a humanitarian disaster.

Recalling all the past efforts by the community to bring peace to Liberia, in particular the preparatory meeting for the National Reconciliation Process in Liberia organized by the Executive Secretariat with the kind sponsorship of the Government of the Federal Republic of Nigeria.

Conscious of the need for a quick resolution of the crisis in Liberia which if left unchecked, poses a serious security threat to its neighboring countries and the entire sub-region.

Desirous of undertaking concrete actions that would restore normalcy within Liberia, and ensure the safety and security of its peoples through a peaceful settlement of the crisis.

Having assessed the situation in Liberia and considered the options for actions prescribed by the ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10 December 1999.

DECIDES

Article 1

The Resolution MMSC/Res. 1/5/02 of the Third extraordinary Ministerial Meeting on the Security Situation in Liberia is hereby endorsed.

Article 2

The Executive Secretary of ECOWAS and all parties involved in the crisis in Liberia, shall comply with the relevant provisions contained in the Resolution referred to in Article 1 above.

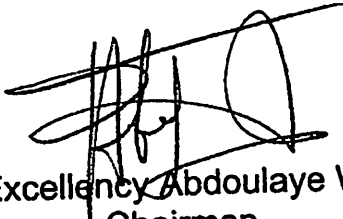
Article 3

The Executive Secretary shall immediately commence the process for the settlement of the crisis in Liberia and make periodic reports thereon to the Authority.

Article 4

This Decision shall be published by the Executive Secretariat in the Official Journal of the Community. It shall also be published by each Member States in its National Gazette.

Done at Yamoussoukro, this 17th Day of May 2002.



His Excellency Abdoulaye WADE
Chairman
For the Authority

EXTRAORDINARY SUMMIT OF ECOWAS HEADS OF STATE AND GOVERNMENT

YAMOOUSSOUKRO, 17TH MAY 2002

**DECISION A/DEC. 2/5/02 Establishing
an Institutional and Regulatory
Framework for the New Partnership for
Africa's Development**

**The Authority of Heads of State and
Government**

Mindful of Articles 7, 8 and 9 of the ECOWAS Treaty establishing the Authority of Heads of state and Government and defining its composition and functions.

Reaffirming its determination to deliver the African continent from its economic and social marginalization.

Convinced that the New Partnership for Africa's Development (NEPAD) translates a new vision whose concretization will enable the African continent to bridge the gap which separates it from the developed world.

Further Convinced that Africa's development depends on the promotion of the sub-region which should be perceived as the operational base for NEPAD.

On the recommendation of the ECOWAS Ministerial meeting on NEPAD, taking place in Yamoussoukro on 16th May 2002

DECIDES

Article 1

The Economic Community of West African States (ECOWAS) shall be the coordinating and monitoring organ for the implementation of NEPAD.

Article 2

ECOWAS shall rely upon the support of other regional organizations and the Member States for the implementation of NEPAD.

Article 3

ECOWAS shall be part of the technical organs of NEPAD in order to ensure effective coordination between the programmes identified at the level of the continent and regional programmes.

Article 4

1. The Member States, the Council of Ministers and the ECOWAS Executive Secretariat shall take necessary measures to build the organizational, financial and human capacities of the Executive Secretariat.
2. There is hereby created, for this purpose, a NEPAD focal point within the Executive Secretariat.

Article 5

Each Member State shall set up an ad hoc Ministerial committee to analyse its capacities and formulate a plan of action for the harmonization of NEPAD institutions and regulations.


Article 6

The Member States and the Executive Secretariat shall take appropriate measures to accelerate the establishment of the new ECOWAS financial institutions.

Article 7

This decision shall be published by the Executive Secretariat in the Official Journal of the community within thirty days of its signature by the Chairman of the Authority. It shall also be published in the National Gazette of each Member State within the same time frame.

**Done at Yamoussoukro, this 17th day
of May 2002**


His Excellency Abdoulaye WADE
Chairman
For the Authority

EXTRAORDINARY SUMMIT OF HEADS OF STATE AND GOVERNMENT

YAMOUSSOUKRO, 17TH MAY 2002

Resolution A/RES. 1/5/02 on progress
towards democracy in West Africa

The Authority of Heads of State and Government.

Mindful of Articles 7, 8 establishing the
Authority of Heads of state and
Government and defining its composition
and functions.

Mindful of the ECOWAS Declaration of
Political Principles, dated 6th July 1991.

Mindful of the Protocol on Democracy
and Good Governance, dated 21st
December 2001.

Observing with satisfaction that
presidential and Legislative elections
have been organized in several ECOWAS
Member States in the last few years.


Noting that these elections were
generally conducted in an atmosphere of
calm and transparency.

Welcomes these advances in democratic
practices within Community.

Expresses appreciation at the situation in
Sierra Leone.

Urges the Member States to consolidate
current democratic practices and good
governance.

**Done at Yamoussoukro this 17th Day
of 2002**


His Excellency Abdoulaye WADE
Chairman
For the Authority

The Third Extra-Ordinary Ministerial Meeting of the Mediation and Security Council

Yamoussoukro, 16th May 2002

Resolution MMSC/Rec. 1/5/02 on the Security Situation in Liberia

The Ministers of the Mediation and Security Council.

Mindful of Article 4, (b), 8, 10 and 11 (1) of the Protocol relating to the Mechanism on Conflict Prevention, Management, Resolution, Peace-keeping and Security of 10th December 1999, establishing the Ministerial meeting of the Mediation and Security Council and defining its composition and function.

Mindful of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed by the Heads of State and Government in Lome on 10th December 1999.

Mindful of the Protocol on Democracy and Good Governance adopted by the Authority of the Heads of State and Government in Dakar on 21st December 2001.

Mindful of the ECOWAS Declaration on Political Principles adopted in Abuja on 6th July 1991.

Mindful of the principles set out in the OAU Solemn Declaration on Security, Stability, Development and Cooperation in Africa adopted in Abuja on 8 and 9 May 2000 and the Decision AHG. Dec 142 (xxv) on the framework for OAU's reaction to unconstitutional change of government, adopted in Algiers in July 1999.

Bearing in mind the Decision of the Authority of Heads of State and Government take at the Twenty-fifth session of its summit in Dakar, 20-21 December 2001, condemning the activities of armed rebels in Liberia, particularly the LURD and approving the imposition of sanctions against these

armed movements.

Recalling the decisions taken at our eight Ministerial meeting in Dakar on 29th March 2002.

Considering the continuous armed rebel attacks on the Government of Liberia leading to loss of lives and property the internal displacement of persons and refugees and the potential for the creation of a humanitarian disaster.

Recalling all the past efforts by the Community to bring peace to Liberia, in particular the preparatory meeting for the National Reconciliation Process in Liberia organized by the Executive Secretariat with the kind sponsorship of the Government of the Federal Republic of Nigeria.

Conscious of the need for a quick resolution of the crisis in Liberia which if left unchecked, poses a serious security threat to its neighboring countries and the entire sub-region.

Desirous of undertaking concrete actions that would restore normalcy within Liberia, and ensure the safety and security of its peoples, through a peaceful settlement of the crisis.


Having assessed the situation in Liberia and considered the options for actions prescribed by the ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10th December 1999.

RESOLVES AS FOLLOWS

- a) The Economic Community of West African States strongly condemns the continuing armed rebel attacks on Liberia, particularly, armed attacks from the Liberian United for Reconciliation and Democracy (LURD).
- b) Council calls on the Organization of African Unit (OAU) and the international community to condemn all armed rebel attacks on Liberia

- c) It recalls the ECOWAS position on non-recognition of all power obtained by force.
- d) Council calls for an immediate and unconditional ceasefire in Liberia and cessation of all hostilities, and further recommends to the Authority of Heads of State and Government to appoint a facilitator for the said ceasefire and the peace process.
- e) It also calls for an immediate dispatch of an ECOWAS military team to Liberia to assess the situation on the ground.
- f) Council calls for immediate commencement of political dialogue and reconciliation between the Government of Liberia and the rebels under the auspices of ECOWAS.
- g) It also calls on the Organisation of African Unity / African Union, (OAU/AU), the United Nations and the international community to support ECOWAS Initiatives and efforts at resolving the crisis in Liberia.
- h) Council also appeals to all individuals, private and public organizations and the international community at large to refrain making utterances, carrying out activities and from adopting positions that may fuel or aggravate the crisis in Liberia.
- i) Council calls on all humanitarian and aid agencies to take all necessary measures that would bring relief and succour to the civil population affected by the crisis, in particular, women and children.
- j) Council further calls on the parties to the conflict in Liberia to ensure the protection of children in conformity with the 1999 African Charter on the Rights and Welfare of the Child and the 1989 United Nations Charter on the Rights of the Child.
- k) In the event of failure of a peaceful settlement of the crisis in Liberia, Council may recommend to the Authority of Heads of State and Government, ECOMOG intervention in Liberia.
- l) Council directs the Executive Secretary to notify the Organisation of African Unity / African Union and the United Nations of this Resolution.
- m) The Ministerial meeting of the Mediation and Security Council remains seized of the matter.

Done at Yamoussoukro, this Sixteenth day of May 2002



**Mr. Youssouf SAKHO
For Chairman of Council**

Fifth Extra-Ordinary Session of the Council of Ministers

Abuja, 22nd 23rd April 2002

Regulation C/REG.1/4/02 Relating to the strengthening of the Internal Organisation of the Executive Secretariat.

The Council of Ministers,

Mindful of Articles 10, 11 and 12 of ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions.

Mindful of Regulation C/RE.9/12/99 of 7 December, 1999 approving the restructuring of the Executive Secretariat.

Considering the need to correct the flaws observed by the study on the structure of the Executive Secretariat.

Desirous of providing the Executive Secretariat with qualified and competent staff capable of meeting the exigencies and achieving the objectives of the tasks assigned to them.

Wishing to provide the Executive Secretariat with the necessary resources to enhance its performance

On the recommendation of the fourth meeting of the Ad Hoc Ministerial Committee on the Restructuring of the Executive Secretariat, held in Abuja on 21 April, 2002.

ENACTS

Article 1

The following items are hereby integrated into the Executive Secretariat's organization chart as approved by Regulation C/REG.9/12/99

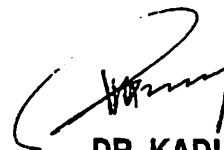
- i) The units created under Article 16 of the Protocol on the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.

- ii) The post of Financial Controller of the Community Institutions as restored by Decision A/DEC./4/12/01.

Article 2

This regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of Council. It shall also be published within the same frame by each Member State in its National Gazette.

Done at Abuja this 23rd day of April, 2002



DR. KADI SESAY
Chairman
For Council

Fifth Extra-Ordinary Session of the Council of Ministers

Abuja, 22nd 23rd April 2002

Regulation C/REG.2/4/02 Appointing the President of the ECOWAS Bank for Investment and Development (EBID)

The Council of Ministers,

Mindful of Articles 10, 11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions.

Mindful of Decision A/DEC.4/12/99 relating to the transformation of the ECOWAS Fund into a Regional Holding Company called the ECOWAS Bank for Investment and Development (EBID) and the establishment of its two subsidiaries, namely the ECOWAS Regional Investment Bank (ERIB) and the ECOWAS Regional Development Fund (ERDF).

Mindful of Decision A/DEC.3/7/91 on the Selection and Evaluation of the performance of Statutory Appointees of the Institutions of the Community.

Mindful of Decision A/DEC.22/12/01 allocating the position of the President of the ECOWAS Bank for Investment and Development (EBID) to the Republic of Benin.

On the Recommendation of the Meeting of the Ad-hoc Ministerial Committee on the Selection and Evaluation of Statutory Appointees held in Dakar, 28th March 2002.

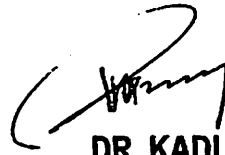
Article 1

Mr. Christain Narcisse Adovelande is hereby appointed the President, ECOWAS Bank for Investment and Development (EBID) for a period of four (4) years with effect from the date he assumed duty.

Article 2

This Regulation shall be published by the Executive Secretarial in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member States in its National Gazette within the same time-frame.

Done at Abuja, this 23rd of April 2002



DR. KADI SESAY
Chairman
For Council

Fifth Extra-Ordinary Session of the Council of Ministers

Abuja, 22nd 23rd April 2002

Regulation C/REG.3/4/02 Establishing Procedure for the Approval of Originating Products to Benefit Under the ECOWAS Trade Liberalisation Scheme.

The Council of Ministers,

Mindful of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions.

Recognizing the need to facilitate the application and effectiveness of the ECOWAS trade liberalization scheme.

Bearing in mind the directives of the Authority of Heads of State and Government issued at Lome on 10 December 1999 on the need for coordination of the Integration Programmes of ECOWAS and the West African Economic and Monetary Union (UEMOA).

Also bearing in mind the conclusions of the ECOWAS/UEMOA Ministerial Meetings held in Bamako on 28th and 29th January 2000 on the need for the harmonization of the Trade Liberalisation Schemes of ECOWAS and UEMOA.

Recalling its directives issued to the Executive Secretariat of ECOWAS on 12th December 2000, to elaborate and submit legal texts for the harmonization of the Trade Liberalisation Schemes of ECOWAS and UEMOA

On the Recommendation of the Extraordinary meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commissions meeting at Abuja, from 5th to 6th April, 2002

ENACTS

Section 1: Approval Procedure for Originating Products

Article 1: Approval

Approval of originating industrial products to benefit under the intra-ECOWAS preferential trade regime shall be granted by an authority designated by each Member State on the recommendation of a National Approvals Committee (NAC) established for the purpose.

Article 2: Composition of the National Approvals Committee

The members of the National Approvals Committee shall be the representatives of the following Ministers and Services:

- The Ministry of Trade
- The Ministry of Industry
- The Ministry of Finance (Department of Customs)
- The ECOWAS National Unit
- The Chambers of Commerce and Industry
- All such structures or institutions as may be deemed appropriate

The Committee shall be presided by the representative of the national authority designated to grant approval in this circumstance.

Article 3 Functions of the National Approvals Committee

The National Approvals Committee shall be responsible for the screening of applications, and the making of recommendations thereon to the designated authority of the Member State concerned.

Article 4: Applications to the National Approvals Committee

Industrial enterprises desiring to benefit under the trade liberalization scheme shall complete an application form, the prototype of which is attached to this regulation, and submit it to the

Chairperson of the National Approvals Committee.

Article 5: Screening of Applications for Approval

The Chairperson of the Committee shall convene meetings, in accordance with a preset timetable, for the purpose of screening applications received.

Enterprises fulfilling the conditions for approval shall be recommended for approval to the appropriate authority.

All applications must be processed and approval granted or denied within a period of three months.

Article 6: Notice of Approval

Member States shall transmit the list of approved products and the dossiers relating thereto, to the Executive Secretariat.

The Executive Secretariat shall transmit the list of approved products to the Member States.

Article 7: Enterprise Registration Number

Enterprises whose products have received approval shall be issued a seven-digit registration number.

The first three digits shall represent the country geographical code as defined by the United Nations; the four subsequent digits are the sequence number, representing the position of the enterprise within the Member State according to numerical order.

Article 8: Product Approval Number

Approved industrial enterprises and products shall be issued an eleven-digit approval number as indicated in the table hereunder.

Product Approval Number (11 digits)			
Enterprise Registration Number (11 digits)		Product Sequence Number (2 digits)	Year (2 digits)
Country Code (3 digits)	Sequence Number of Enterprise (4 digits)		

Section 2: Provision Covering Transition Periods

Article 9:

Industrial products whose ECOWAS origin is determined by the criterion of value-added, in accordance with the provisions of the protocol defining the concept of originating product, shall remain eligible for approval for a 3-years transition period under the conditions stated hereunder.

Article 10:

Applications for approval to benefit from the preferential tariffs granted under the ECOWAS trade liberalization scheme must be submitted on the form, the prototype of which is attached to this regulation.

Article 11

Applications for approval must be duly completed and submitted to the appropriate national authority.

Article 12:

Application for approval shall be screened, at the national level, within the time-limit stipulated in article 5 above, by a National Approvals Committee which shall authenticate the ECOWAS origin of the products submitted for approval.

Article 13:

Successful applications shall be transmitted to the ECOWAS Executive Secretariat by the ECOWAS National Unit.

Article 14:

The applications shall be scrutinised by the Trade, Customs, Taxation, Statistics, Money and Payments Commission, which shall recommend their approval by the Chairman of the Council of Ministers who shall approval and sign on behalf of Council.

The commission shall meet at least twice yearly to scrutinise applications for approval.

Section 3: Final Provisions

Article 15:

The prototype application form attached hereto shall replace all former application forms.

Article 16:

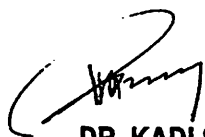
The approval procedure for products of ECOWAS origin established by decision /C/DEC/3/6/86, dated 21/06/88, is hereby abrogated.

Article 17:

This regulation shall be published by the Executive Secretariat in the Official Journal of the community within thirty (30) days of its signature by the Chairman of the Council of Ministers.

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

Done at Abuja, this 23rd Day of April 2002


DR. KADI SESAY
Chairman
For Council

ANNEX NO 1

APPLICATION FORM FOR ADMISSION TO THE ECOWAS TRADE LIBERALIZATION SCHEME

.....

TO BE COMPLETED BY THE INDUSTRIAL ENTERPRISE AND SUBMITTED BY THE ECOWAS MEMBER STATE

Executive Secretariat April 2002

CONTENT OF APPLICATION FORM

- 1. Identity of Enterprise**
 - 1.1 Business Name; Registration No
 - 1.2 Address of Head Office (P.O. Box, telephone No, E-mail address, Website)
 - 1.3 Sector and Branch of Activity
 - 1.4 Legal Status
 - 1.5 Preferential treatment granted by Member State of domiciliation
 - 1.6 Number and location of factory
- ii. Manufactured products submitted for Approval**
 - 2.1 Description of product under ECOWAS Customs Nomenclature
 - 2.2 Type of product
 - 2.3 Brand name and manufacturing label
- iii. Manufacturing Process**
 - 3.1 Description of manufacturing process
 - 3.2 Raw materials employed
 - 3.3 Consumables utilized.
 - 3.4 Type of packaging utilized

iv. Determination of ex-Factory Price and Value-added

4.1 Applications must complete form, indicating components determining ex-factory price and value-added for each product or group of products.

1. Identity of Enterprise

1.0 Business Name

Headquarters Address -----

P.O. Box -----

Telephone No -----

Fax No -----

E-mail address -----

Website -----

1.1 Sector and Branch of Activity -----

1.2 Legal Status (1) -----

1.3 Preferential Treatment granted by Member State of Domiciliation (2) -

1.4 Approval number issued under the liberalization scheme (3) -----

1.5 Number and location of establishments

- (1) Attach copy of Statutes
- (2) Attach copy of text granting such treatment
- (3) For already approval enterprises.

II. Manufactured Product submitted for Approval

2.1 Describe product using ECOWAS tariff and statistical Nomenclature and indicating trade description (attach any official documents attesting to tariff classification, and where possible, include a sample of product)

2.2 State tariff item or sub-item

classification of manufactured product under ECOWAS Nomenclature.

2.3 State brand name or manufacturing label used for marketing purposes (include any useful indications for the identification of the manufactured product.

III **MANUFACTURING PROCESS**

3.1 Description of manufacturing process

3.2 Raw materials utilized

1. Use model table for each product submitted for approval.

Product Manufactured	Reference Year		
Description of raw material (1)	ECOWAS Customs Nomenclature	Quantity Utilised	Value on entry into factory
A. Raw Materials of Foreign Origin			
B. Raw materials of ECOWAS Origin			

(1) State principal raw material utilized

3.3 Consumables Utilised in the Manufacture of products submitted for Approval

1. Use model table for each product submitted for approval.

Product Manufactured	Reference Year		
Description of raw material (1)	ECOWAS Customs Nomenclature	Quantity Utilised	Value on entry into factory
A. Raw Materials of Foreign Origin			
B. Raw materials of ECOWAS Origin			

(1) State principal raw material utilized

3.4 Packaging utilized for marketing purposes.

Product Manufactured	Reference Year		
Description of raw material (1)	ECOWAS Customs Nomenclature	Quantity Utilised	Value on entry into factory
A. Raw Materials of Foreign Origin			
B. Raw materials of ECOWAS Origin			

(1) State principal raw material utilized

IV. CALCULATION OF EX-FACTORY COST PRICE AND VALUE ADDED

Description of product.....
 NTS.....Maximum
 production capacity.....
 Quantity Produced.....

Components determining ex-factory cost price reference year	Value per unit produced (2) (3)	%
1) Raw materials utilized: - Of ECOWAS origin - Of foreign origin CIF value (4) Transport transit to factory (5) Import duties and taxes		
2) Consumable utilized - Of ECOWAS origin - Of foreign origin CIF value (4) Transport transit to factory (5) Import duties and taxes.		
3) Packaging utilized - Of ECOWAS origin - Of Foreign origin CIF value (4) Transport transit to factory (5) Import duties and taxes		
4) Other expenditure borne by company - salary and wages (5) - Duties and taxes (borne by company) - works supplies and services provided from exteri sources (7) - Transport and travel - Financial charges (8) - Amortisments (building & equipment) (9)		
EX- FACTORY COST PRICE		
VALUE ADDED %		

- (7) Works. Supplies and ext services may not exceed 10% of cost price and must be directly tied to production
- (8) Financial charges may not exceed 3% of cost price
- (9) Amortisement must be recorded on a separate form, giving details of investments made and rate and mode of amortisement.

- (1) State reference year
- (2) State thousands or millions in local currency
- (3) State unit of measure and consumables (kilo, metre, m3. etc)
- (4) CIF value of raw materials and consumables
- (5) Transport transit to border of importing state transport-transit to factory (for land-locked countries)
- (6) Salaries and wages may not exceed 20% of cost price

**Fifth Extra-Ordinary Session of the
Council of Ministers**

Abuja, 22nd 23rd April 2002

**Regulation C/REG.4/4/02 Adopting an
ECOWAS Certificate of Origin**

The Council of Ministers,

Mindful of article 10, 11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions.

Mindful of decision A/DEC.6/7/92 relating to the adoption and implementation of a single ECOWAS trade liberalization scheme.

Bearing in mind the directives of the Authority of Heads of States and Government issued at Lome on 10 December 1999 on the need for the coordination of the Integration Programmes of ECOWAS and the West African Economic and Monetary Union (UEMOA).

Also bearing in mind the conclusions of the ECOWAS / UEMOA Ministerial Meetings held in Bemako on 28th and 29th January 2000 on the need for the harmonization of the Trade Liberalisation Schemes of ECOWAS and UEMOA.

Recalling its directives issued to the Executive Secretariat of ECOWAS on 12th December 2000, to elaborate and submit legal texts for the harmonization of the Trade Liberalisation schemes of ECOWAS and UEMOA.

Convinced of the need to adopt a harmonized document in order to facilitate the movement of products within the ECOWAS Community

On the recommendation of the Extraordinary meeting of the Trade, Customs, Taxation, Statistic, Money and Payments Commission meeting at Abuja, from 5th to 6th April 2002.

ENACTS

Article 1

The ECOWAS origin of products manufactured within the ECOWAS Community is attested by a certificate of origin, a specimen of which is attached to this regulation.

However, agricultural and livestock products as well as hand-made article or articles manufactured without the use of tools, instruments, or implements directly operated by the manufacturer are exempted from this requirement.

Article 2

The certificate of origin shall be of A4/SO size (210 x 297 mm) and green in colour. Specimen copies shall be printed by the Executive Secretariat and sent to the Member States.

Article 3

The certificate of origin shall be issued by the national authority designated by the Member State for the purpose.

Officials authorized to issue or endorse the certificate of origin are required to append their signature, name and function legibly to the document.

Article 4

The previous certificate of origin referred to in article 1, decision C/DEC.3/5/80, relating to proof and verification of the community origin of goods, shall become invalid one year from the date of signature of this regulation

The old format of the certificate may

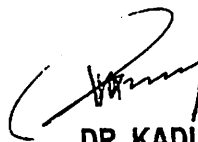
continue to circulate together with the new, but shall be withdrawn progressively within the time-frame prescribed above.

Article 5

This regulation shall be published by the Executive Secretariat in the Official Journal of the community within thirty (30) days of its signature by the Chairman of

the Council of Ministers State within the same time-frame.

Done at Abuja, this 23rd Day of April 2002



DR. KADI SESAY
Chairman
For Council

ORIGINAL

ECOWAS / UEMOA

REPUBLIC OF

- (1) Mark a cross in the box as applicable
- (2) State percentage of value-added
- (3) Name of signatory and rank in block capitals (otherwise, indicate registration number)

INSTRUCTIONS

1. Use block capitals except for names and signatures

Do not write in margins or in between lines

Any unused space must be struck through in such a manner as to make any later additions impossible.

2. The certificate must contain no erasures or words written over one another. Alterations should be made by crossing out the incorrect particulars and adding any corrections where necessary. All such alterations must be initialed by the person filling the certificate and endorsed by the Customs authorities of the issuing Member State.
3. This certificate is issued in a single original. All copies must bear the word "copy". In the event of loss of the original, a duplicate may be issued, bearing the word "Duplicate"
4. Goods must be described in accordance with commercial practice and in sufficient detail to enable their identification.
5. This certificate of origin covers one product only.
6. The period of validity of this certificate is six (6) months commencing from the date of issuance.

Fifth Extra-Ordinary Session of the Council of Ministers

Abuja, 22nd 23rd April 2002

Regulation C/REG.5/4 / 02 relating to the Assessment of the components making up the Ex-Factory Price a Finished Product before Tax, and the Value-Added

The Council of Ministers,

Mindful of article 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions.

Bearing in mind the directives of the Authority of Heads of State and Government issued at Lome on 10 December 1999 on the need for the coordination of the Integration Programmes of ECOWAS and the West African Economic and Monetary Union (UEMOA)

Also bearing in mind the conclusions of the ECOWAS / UEMOA Ministerial Meetings held in Bamako on 28th and 29th January 2000 on the need for the harmonization of the Trade Liberalisation Schemes of ECOWAS and UEMOA

Recalling its directives issued to the Executive Secretariat of ECOWAS on 12th December 2000, to elaborate and submit legal texts for the harmonization of the Trade Liberalisation Scheme of ECOWAS and UEMOA.

Considering decision C/DEC.4/7/87 relating to the assessment of the components making up the ex-factory price of a finished product before tax, and the value-added.

On the recommendation of the Extraordinary meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission held from 5th to 6th April 2002.

ENACTS

Article 1

1. The components making up the ex-factory price of a finished product before tax are as follows:
 - i) CIF value of raw materials of Community or foreign origin employed in production.
 - ii) CIF value of consumables of community or foreign origin.
 - iii) CIF value of none recoverable packaging material of community or foreign origin.
 - iv) Wages and salaries, which may not exceed 20% of cost price
 - v) Duties and taxes which are payable by the enterprise.
 - vi) Works, supplies and external services, which shall not exceed 10% of cost price. Works supplies and external services not intervening directly in the production process shall be excluded.
 - vii) Transport and travel
 - viii) Financial charges, which may not exceed 3% if cost price.
 - ix) Depreciation charges, which shall be recorded on a separate from detailing capital invested and rate and mode of amortisement.
2. Shall be excluded from the determination of ex-factory price before tax:
 - i) Tax on profit
 - ii) Value-added tax
 - iii) Turnover tax

Article 2

Value-added is defined as the difference expressed as a percentage of the ex-factory price before tax of the finished

product concerned and the CIF value of raw material, consumables and packaging of foreign origin, utilized in obtaining the final product in the form under which it is released for consumption.

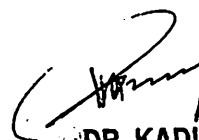
Article 3

This regulation shall repeals and replace all existing provisions which are incompatible with the above provisions.

Article 4

This regulation shall be published by the Executive Secretariat in the Official Journal of the community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published in the Official Gazette of each Member State within the same time frame.

Done at Abuja this 23rd Day of April
2002
Fifth Extra-Ordinary Session of the



DR. KADI SESAY
Chairman
For Council

Council of Ministers

Abuja, 22nd 23rd April 2002

Recommendation. C/REG.1/4 / 02 relating to the Definition of the concept of products originating from Member States of the Economic Community of West African States

The Council of Ministers,

Mindful of article 10, 11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions.

Mindful of paragraph 3, Article 38 of the Treaty of the Economic Community of West African States relating to possible amendments to the definition of the concept of products originating from Member States.

Recognizing the pressing need to harmonise the integration programmes of the Economic Community of West African States with those of the West African Economic and Monetary Union, with a view to creating a single economic zone in West Africa.

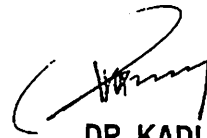
Desirous of ensuring that the definition of the concept of products originating from Member States is in conformity with the new regulations of the World Trade Organisation, and of amending the Protocol relating thereto accordingly.

On the proposal of the Extraordinary meeting of the Trade, Customs, Tax, Statistics, Money and Payments Commission held in Abuja, from 5th to 6th April 2002.

Recommends to the Authority of Heads of State and Government to adopt the attached Draft Protocol Relating to the Definition of the Concept of Products Originating from Member States of the

Economic Community of West African States.

Done at Abuja this 23rd Day of April 2002
Fifth Extra-Ordinary Session of the



DR. KADI SESAY

Chairman
For Council

Council of Ministers

Abuja, 22nd 23rd April 2002

Recommendation C/REG.2/4 / 02 relating to the Application of Compensation Procedures for loss of Revenue Incurred by ECOWAS Member States as a Result of the Trade Liberalisation Scheme

The Council of Ministers,

Mindful of article 10, 11 and 12 of the Treaty establishing the Council of Ministers and defining its composition and functions.

Mindful of article 48 of the Treaty relating to compensation for loss of revenue incurred by a Member States as a result of trade liberalization.

Mindful of the protocol relating to the evaluation of loss of revenue registered by the ECOWAS Member States.

Mindful of protocol A/P1/7/96 relating to the conditions for the application of the community levy.

Mindful of decision A/DEC. 6/7/92 amending Decision /1/5/83 relating to the adoption and implementation of a single ECOWAS trade liberalization scheme.

Mindful of decision A/DEC.19/5/80, DATED 28 May, relating to the application of compensation procedures for loss of revenue incurred by the Member States.

Considering that one of the major obstacles to the implementation of the ECOWAS trade liberalization scheme stems from the inadequacies observed in the system adopted for the compensation of the loss of Customs revenue.

Conscious that harmonization of the trade liberalization schemes operating in the sub-region is a necessary condition for the creation of a common market.

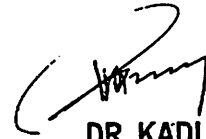
Desirous of enacting a protocol introducing a judicious and effective compensation system for loss of revenue.

On the proposal of the Extraordinary meeting of the Trade, Customs, Tax, Statistics, Money and payments Commission held in Abuja, from 5th to 6th April 2002.

Recommends to the Authority of Heads of State and Government to adopt the Draft Protocol Relating to the Application of Compensation Procedures for loss of Revenue incurred by ECOWAS Member States as a result of the Trade Liberalisation Scheme.

Done at Abuja this 23rd Day of April 2002

SUMMIT OF ECOWAS HEADS OF



DR. KADI SESAY
Chairman
For Council

STATE AND GOVERNMENT

YAMOUSSOUKRO, 17 MAY 2002

FINAL COMMUNIQUE

INTRODUCTION

1. An extraordinary session of the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) on the implementation of the New Partnership for African's Development (NEPAD) was held in Yamoussoukro (Republic of Cote d'Ivoire) on 17 May 2002, under the Chairmanship of His Excellency Abdoulaye Wade, President of the Republic of Senegal and current Chairman of ECOWAS.
2. In the margins of this Session, the Authority also examined other points of common interest to the community including the adoption of the harmonized ECOWAS and UEMOA texts governing the trade liberalization programmes of the two organization and issues relating to regional peace and security.
3. Present at the session were the following Heads of State and Government or their duly accredited representative:
 - His Excellency Mathieu Kerekou
President of the Republic of Benin
 - His Excellency Pedro PIRES
President of the Republic of Cape Verde
 - His Excellency Laurent Gbagbo
President of the Republic of Cote d'Ivoire
 - His Excellency John Agyekum Kufuor
President of the Republic of Ghana
 - His Excellency Alpha Oumar Konare
President of the Republic of Mali
 - His Excellency Olusegun Obasanjo
President of the Federal Republic of Nigeria.
 - His Excellency Abdoulaye Wade
President of the Republic of Senegal
Current Chairman of ECOWAS
 - His Excellency Lamine Sidime
Prime Minister of the Republic of Guinea, representing the President of the Republic.
 - Honourable Hama Amadou
Prime Minister of the Republic of Niger, representing the President of the Republic.
 - Honourable Youssouf Ouedraogo
Minister of Foreign Affairs of Burkina Faso, representing the President of Faso.
 - Honourable Monie R. Caplan
Minister of Foreign Affairs of the Republic of Liberia, representing the President of the Republic
 - Mr. Koffi Panou,
Minister of Foreign Affairs and Cooperation, representing the President of the Togolese Republic
4. The following personalities also attended the extraordinary session as observers.
 - The Secretary-General of the OAU/African Union
 - The Speaker of the ECOWAS Parliament
 - The President of the African Business Roundtable (ABR)
 - The Representative of the African Development Bank (ABB)
 - The Representative of the International Monetary Fund (IMF)
 - The Representative of the World

10. Heads of State and Government adopted the report of the fifth extraordinary session of the Council of Ministers held in Abuja on 22 and 23 April 2002 and the reports of the ECOWAS Ministers held on NEPAD and the meeting of the Mediation and Security Council, both of which were held in Yamoussoukro on 16 May 2002. These reports contained proposals to the ECOWAS Authority on:
Implementation of NEPAD
Harmonised trade liberalization

ECOWAS PROGRAMMES

9. The extraordinary session witnessed the searing-in of Dr. Mohamed Ibn Chambas who was appointed as ECOWAS Executive Secretary at the 25th session of the Authority held in Dakar on 21 December 2001.

SWEARING-IN OF THE ECOWAS EXECUTIVE SECRETARY

7. The Authority of Heads of State and Government received messages of goodwill from His Excellency Gnassingbe Eyadema, President of the Togolese Republic and Mr. Amara Essy, Secretary General of the OAU.
8. The Authority also heard the maiden address of Dr. Mohamed Ibn Chambas, the new ECOWAS Executive Secretary.
- Abdoulaye Wade, Present of the Republic of Senegal and Chairman of the ECOWAS Authority. The Heads of State and Government decided to adopt these speeches as working documents for the session. They also reaffirmed their determination to build a strong ECOWAS which would be in a position to contribute effectively to the realization of the NEPAD objectives, orientations and priorities.

OPENING CEREMONY

5. A list of participants is attached
6. At the opening ceremony, a welcome address was heard from His Excellency Laurent Gbagbo, President of the Republic of Cote d'Ivoire. A statement of thanks was delivered on behalf of the Heads of State and Government by His Excellency Chief Olusegun Obasanjo, President of the Federal Republic of Nigeria and Chairman of the NEPAD Implementation Committee. The opening ceremony was followed by the address of His Excellency Bank
The Representative of the United Nations Development Programme (UNDP)
The Representative of the UEMOA Commission
The President of the West African Development Bank (NOAD),
The Representative of the Food and Agriculture Organisation (FAO)
The Representative of the United Nations Children's Organisation (UNICEF)
The Representative of the African Capacity Building Foundation (ACBF)
The Representative of the OPEC Fund
The Representative of the Canadian International Development Agency (CIDA)
The Representative of the French Development Agency (AFD)
- Other personalities representing West African, African and International Organisations were equally present at the session.

- Scheme
 - Administrative and financial matters
 - Regional peace and security
11. Heads of State and Government placed particular emphasis on economic issues and peace and security

Economic Issues

Implementation of NEPAD

12. The Heads of State and Government reiterated their commitment to the objectives of NEPAD which is the most appropriate instrument for the integration and development of the economies of the African continent as a means of lifting its peoples out of poverty.
13. Having examined the report of the ECOWAS Ministerial meeting on NEPAD, the Authority decided on appropriate measures to be taken to enable the West African region to benefit to the fullest from the integration of the African continent through NEPAD. In this regard, the Heads of State and Government adopted a Declaration and plan of Action for the implementation of NEPAD. ECOWAS was designated the coordinating and monitoring body for the implementation of NEPAD programmes in West Africa.
14. The Authority called on Member States and all development partners to lend the ECOWAS Secretariat the necessary support to enable it to fulfill this role. In this connection.
15. The Authority urged the African private sector and civil society to be fully involved in the realization of the objectives of NEPAD. In this connection, the Authority expressed strong support for the initiative of the association of ECOWAS economic operations,

knows as the Private Initiative for Support of NEPAD (IPS/NEPAD) to organize a private sector forum in support of NEPAD at Ouagadougou in August 2002.

16. The Heads of State and Government invited the other regions of Africa to define a regional vision, as ECOWAS has done, in order to accelerate the implementation of NEPAD.
17. The Authority expressed satisfaction that NEPAD had been received with enthusiasm by our G8 partners. In this regard, an appeal was made to the donors community to honour the promise that was made at their summit at Genes in 2001.

Special development measures

18. The Authority stressed that the strengthening of the integration process must be accompanied by special measures to strengthen the national special meeting on the ECOWAS island and land-locked Member States in order to propose specific actions to be taken in support of the socio-economic development of these countries.

Harmonized trade liberalization scheme

19. The Authority noted with satisfaction that consultations had been held between the ECOWAS Secretariat and the UEMOA Commission which had led to the harmonization of their respective trade liberalization programmes. The Authority adopted the harmonized ECOWAS texts, including the protocols for compensation of loss of customs revenue by Member States, resulting from the liberalization of regional trade.
20. The Authority urged the Chief Executives of the two

organizations to pursue their efforts at coordination. It further exhorted all Member States to give strong support to all actions taken in connection with the no-going hermonisation process.

Peace and Security

- 21 The Authority reviewed the security situation in the West African region.

Democratization Process within ECOWAS

22. The Authority, in its review of the status of the democratization process in the ECOWAS region, noted that in many of the countries, presidential and legislative elections have been successfully conducted in a very transparent manner.
23. The Authority congratulated the governments and political parties that have participated in these elections. The Authority urged all the countries in the region to commit themselves firmly to the path of democracy, transparency and good governance. The Chairman of Authority was requested to convene a meeting of the plenipotentiaries of the Heads of State in order to conduct a peer review of the rule of law in West Africa.

Sierra Leone

- 24 The Authority commended the progress made in Sierra Leone towards the restoration of peace and security. It expressed satisfaction that Sierra Leone had successfully concluded free, transparent and peaceful Presidential and legislative elections.
25. In order to help the Sierra Leonean government rebuild the country, which has been devastated by years of civil conflict, the Authority launched an urgent appeal to the

international community to provide the financial assistance needed to rehabilitate infrastructures and reintegrate refugees, displaced persons and ex-combatants.

Liberia

26 The Authority

- Concerned by the situation in Liberia which is deteriorating hourly and demands urgent attention.
 - Calls on the belligerents to observe an immediate and unconditional cease fire.
 - Encourages the peace process launched in Rabat between the countries of the Mano River Union.
 - Encourages the convening of a round table conference between the political forces in Liberia under the auspices of President Olusegun Obasanjo and the Chairman of the Authority.
 - Requests the Chairman of Authority to establish the necessary contacts with European countries and the United States in order to secure their support for the ECOWAS peace plan.
 - The Authority endorses the decision of the third extraordinary session of the Mediation and Security Council.
27. The Heads of State and Government made an appeal to humanitarian agencies and international community to extend the necessary assistance and succour to the civilian population, the unfortunate victims of the armed aggression.
28. The Authority also called upon the parties to the conflict to ensure the protection of the vulnerable segments of the population, particularly women and children.

TRIBUTE TO PRESIDENT ALPHA OUMAR KONARE

29. The Heads of State and Government expressed their profound gratitude to His Excellency Alpha Oumar Konare, President of the Republic of Mali whose mandate is drawing to an end. Their Excellencies paid tribute to the efforts expended by President Konare over the last few years to make his country a reference point for democratic governance, as evidenced by the power alternation which has been rendered possible by the recently concluded presidential elections.

VOTE OF THANKS.

30. Heads of State and Government expressed their profound gratitude to their Excellencies Abdoulaye Wade, President of the Republic of Senegal and current Chairman of ECOWAS, and Chief Olusegun Obasanjo, President of the Federal Republic of Nigeria and Chairman of the NEPAD Implementation Committee, for their immense contribution to the formulation of NEPAD and for the actions which they continue to undertake towards the realization of the objectives of this welcome initiative, which is going to strengthen the African Union.

31. Heads of State and Government expressed their sincere and profound gratitude to His Excellency Laurent Gbagbo, President of the Republic of Cote d'Ivoire, and to the Government and people of Cote d'Ivoire for the warm and fraternal welcome extended to them and for the excellent facilities placed at their disposal during their stay in Yamoussoukro. Heads of State and Government also expressed their gratitude to President Gbagbo for the holding of the ECOWAS Summit on NEPAD in

Yamoussoukro to enable West African claim stronger ownership of this continental initiative.

32. The Authority extended its wishes of happiness to His Excellency Laurent Gbagbo and peace and prosperity to the people of Cote d'Ivoire.

Done at Yamoussoukro this 17th Day of May 2002.

THE AUTHORITY.