

ASSEMBLEIA NACIONAL

Resolution n° 115/IV/95

of 3 of November

The National Assembly vote, according to the provision of subparagraph *f)* of paragraph 3 of Article 191 of the Constitution, the following resolution:

Article Unique

For ratification purpose, it is approved the revised Treaty of the Economic Community of West African States – ECOWAS, concluded at Cotonou the 24th of July of 1993, whose original text in French and its free translation into Portuguese is published and attached hereto.

Approved on the 12 of October of 1995.

Be Published.

The President of the National Assembly, *António Espírito Santo Fonseca*.

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"Court of Justice" means the Court of Justice of the Community established under Article 15 of this Treaty;

"Import Duties" means customs duties and taxes of equivalent effect, levied on goods by virtue of their importation;

"Executive Secretary" means the Executive Secretary appointed in accordance with the provisions of Article 18 of this Treaty;

"Economic and social Council" means the Economic and Social Council established under Article 14 of this Treaty;

"Executive Secretariat" means the Executive Secretariat established under Article 17 of this Treaty;

"Export Duties" means all customs duties and taxes of equivalent effect levied on goods by virtue of their exportation;

"Fund" means the Fund for Cooperation, Compensation and Development established under Article 21 of this Treaty;

"Member State" or "Member States" mean a Member State or Member States of the Community as defined in paragraph 2 of Article 2 of this Treaty;

"Non-Tariff Barriers" means barriers which hamper trade and which are caused by obstacles other than fiscal obstacles;

"Parliament of the Community" means the parliament established under Article 13 of this Treaty;

"Protocol" means an instrument of implementation of the Treaty having the same legal force as the latter;

"Region" means the geographical zone known as West Africa as defined by Resolution CM/Res.464 (XXVI) of the OAU Council of Ministers;

"Statutory Appointees" includes the Executive Secretary, Deputy Executive Secretaries, Managing Director of the Fund, Deputy Managing Director of the Fund, Financial Controller and any other senior officer of the Community designated as such by the Authority or Council;

"Third Country" means any State other than a Member State;

"Treaty" means this revised Treaty.

CHAPTER II
ESTABLISHMENT, COMPOSITION, AIMS AND OBJECTIVES AND FUNDAMENTAL
PRINCIPLES OF THE COMMUNITY
ARTICLE 2
ESTABLISHMENT AND COMPOSITION

1. THE HIGH CONTRACTING PARTIES, by this Treaty, hereby reaffirm the establishment of the Economic Community of West African States (ECOWAS) and decide that it shall ultimately be the sole economic community in the region for the purpose of economic integration and the realization of the objectives of the African Economic Community.

2. The members of the Community, hereinafter referred to as "the Member States", shall be the States that ratify this Treaty.

**ARTICLE 3
AIM AND OBJECTIVES**

1. The aims of the Community are to promote co-operation and integration, leading to the establishment of an economic union in West Africa in order to raise the living standards of its peoples, and to maintain and enhance economic stability, foster relations among Member States and contribute to the progress and development of the African Continent.

2. In order to achieve the aims set out in the paragraph above, and in accordance with the relevant provisions of this Treaty, the Community shall, by stages, ensure:

- a) the harmonisation and co-ordination of national policies and the promotion of integration programmes, projects and activities, particularly in food, agriculture and natural resources, industry, transport and communications, energy, trade, money and finance, taxation, economic reform policies, human resources, education,

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THE HIGH CONTRACTING PARTIES, in pursuit of the objectives stated in Article 3 of this Treaty, solemnly affirm and declare their adherence to the following principles:

- a) equality and inter-dependence of Member States;
- b) solidarity and collective self-reliance;
- c) inter-State co-operation, harmonization of policies and integration of programmes;
- d) non-aggression between Member States;
- e) maintenance of regional peace, stability and security through the promotion and strengthening of good neighbourliness;
- f) peaceful settlement of disputes among Member States, active cooperation between neighbouring countries and promotion of a peaceful environment as a pre-requisite for economic development;
- g) recognition, promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights;
- h) accountability, economic and social justice and popular participation in development;
- i) recognition and observance of the rules and principles of the Community;
- j) promotion and consolidation of a democratic system of governance in each Member State as envisaged by the Declaration of Political Principles adopted in Abuja on 6 July 1991; and
- k) equitable and just distribution of the costs and benefits of economic co-operation and

**ARTICLE 7
AUTHORITY OF HEADS OF STATE AND GOVERNMENT**

1. There is hereby established the

Community, without prejudice to the provisions of paragraph (3) of Article 15 of this Treaty.

5. The Executive Secretary shall publish the decisions thirty (30) days after the date of their signature by the Chairman of Authority.

6. Such decisions shall automatically enter into force sixty (60) days after the date of their publication in the Official Journal of the Community.

7. Decisions shall be published in the Notional Gazette of each Member State within the period stipulated in paragraph 6 of this Article.

ARTICLE 10
THE COUNCIL MINISTERS
ESTABLISHMENT, COMPOSITION AND FUNCTIONS

1. There is hereby established a Council of Ministers of the Community.

2. The Council shall comprise the Minister in charge of ECOWAS Affairs and any other Minister of each Member State.

3. Council shall be responsible for the functioning and development of the Community. To this end, unless otherwise provided in this Treaty or a Protocol, Council shall:

- a) make recommendations to the Authority on any action aimed at attaining the objectives of the Community;
- b) appoint all statutory appointees other than the Executive Secretary;
- c) by the powers delegated to it by the Authority, issue directives on matters concerning co-ordination and harmonization of economic integration policies;
- d) make recommendations to the Authority on the appointment of the External Auditors;
- e) prepare and adopt its rules of procedure;
- f) f) adopt the Staff Regulations and approve the organizational structure of the institutions of the Community;
- g) approve the work programmes and budgets of the Community and its institutions;
- h) request the Community Court of Justice, where necessary, to give advisory opinion on any legal questions;
- i) carry out all other functions assigned to it under this Treaty and exercise all powers delegated to it by the Authority.

ARTICLE 11
MEETINGS

1. The Council shall meet at least twice a year in ordinary session. One of such sessions shall immediately precede the ordinary session of the Authority. An extraordinary session may be convened by the Chairman of Council or at the request of a Member State provided that such request is supported by a simple majority of the Member States.

2. The office of Chairman of Council shall be held by the Minister responsible for ECOWAS Affairs of the Member State elected as Chairman of the Authority

ARTICLE 12
REGULATIONS

1. The Council shall act by regulations.

2. The status, composition, powers, procedure and other issues concerning the Arbitration Tribunal shall be as set out in a Protocol relating thereto.

**ARTICLE 17
THE EXECUTIVE SECRETARIAT
ESTABLISHMENT AND FUNCTIONS**

1. There is hereby established an Executive Secretariat of the Community.

- Council;
- b) promotion of Community development programmes and projects as well as multinational enterprises of the region;
 - c) convening as and when necessary meetings of sectoral Ministers to examine sectoral issues which promote the achievement of the objectives of the Community;
 - d) preparation of draft budgets and programmes of activity of the Community and supervision of their execution upon their approval by Council;
 - e) submission of reports on Community activities to all meetings of the Authority and Council;
 - f) preparation of meetings of the Authority and Council as well as meetings of experts, and technical commissions and provision of necessary technical services;
 - g) recruitment of staff of the Community and appointment to posts other than statutory appointees in accordance with the Staff Rules and Regulations ;
 - h) submission of proposals and preparation of such studies as may assist in the efficient and harmonious functioning and development of the Community;
 - i) initiation of draft texts for adoption by the Authority or Council.

ARTICLE 20
RELATIONS BETWEEN THE STAFF OF THE COMMUNITY
AND MEMBER STATES

1. In the performance of their duties, the Executive Secretary the Deputy Executive Secretaries, and other staff of the Community shall owe their loyalty entirely and be accountable only to the Community. In this regard, they shall neither seek nor accept instructions from any government or any national or international authority external to the Community. They shall refrain from any activity or any conduct incompatible with their status as international civil servants.
2. Every Member State undertakes to respect the international character of the office of the Executive Secretary, the Deputy Executive Secretary, and other staff of the Community and undertakes not to seek to influence them in the performance of their duties.
3. Member States undertake to cooperate with the Executive Secretariat and other institutions of the Community and to assist them in the discharge of the duties assigned to them under this Treaty.

ARTICLE 21
FUND FOR COOPERATION, COMPENSATION AND DEVELOPMENT
ESTABLISHMENT, STATUS AND FUNCTIONS

1. There is hereby established a Fund for Cooperation, Compensation and Development of the Community.
2. The status, objectives and functions of the Fund are defined in the Protocol relating thereto.

ARTICLE 22

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- f) Political, Judicial and Legal Affairs, Regional Security and immigration;
- g) Human Resources, Information, Social and Cultural Affairs; and
- h) Administration and Finance Commission.

2. The Authority may, whenever it deems appropriate, restructure the existing Commissions or establish new Commissions.
3. Each Commission shall comprise representatives of each Member State.
4. Each Commission may, as it deems necessary, set up subsidiary commissions to assist it in carrying out its work. It shall determine the composition of any such subsidiary commission.

**ARTICLE 23
FUNCTIONS**

Each Commission shall, within its field of competence:

- a) prepare Community projects and programmes and submit them for the consideration of Council through the Executive Secretary, either on its own initiative or at the request of Council or the Executive Secretary;
- b) ensure the harmonization and coordination of projects and programmes of the Community;
- c) monitor and facilitate the application of the provisions of this Treaty and related Protocols pertaining to its area of responsibility;
- d) carry out any other functions assigned to it for the purpose of ensuring the implementation of the provisions of this Treaty.

**ARTICLE 24
MEETINGS**

Subject to any directives given by the Council, each Commission shall meet, as often as necessary. It shall prepare its rules of procedure and submit them to the Council for approval.

**CHAPTER IV
COOPERATION IN FOOD AND AGRICULTURE
ARTICLE 25
AGRICULTURE, DEVELOPMENT AND FOOD SECURITY**

1. Member States shall cooperate in the development of agriculture, forestry, livestock and fisheries in order to:
 - a) ensure food security; improve conditions of
 - b) increase production and productivity in agriculture, fisheries and forestry, and

- and inputs; and
- f) the harmonization of food security policies paying particular attention to:
 - i. the reduction of losses in food production;
 - ii. the strengthening of existing institutions for the management of natural calamities, agricultural diseases and pest control;
 - iii. the conclusion of agreements on food security at the regional level; and
 - iv. the provision of food aid to Member States in the event of serious food shortage.
 - g) the establishment of an early warning system; and
 - h) the adoption of a common agricultural policy especially in the fields of research, training, production, preservation, processing and marketing of the products of agriculture, forestry, livestock and fisheries.

**CHAPTER V
COOPERATION IN INDUSTRY, SCIENCE AND TECHNOLOGY
AND ENERGY
ARTICLE 26
INDUSTRY**

1. For the purpose of promoting industrial development of Member States and integrating their economies, Member States shall harmonize their industrialization policies.
2. In this connection, Member States shall:
 - a) strengthen the industrial base of the Community, modernize the priority sectors and foster self-sustained and self-reliant development;
 - b) promote joint industrial development projects as well as the creation of multinational enterprises in priority industrial sub-sectors likely to contribute to the development of agriculture, transport and communications, natural resources and energy.
3. In order to create a solid basis for industrialization and promote collective self-reliance, Member States shall:
 - a) ensure, on the one hand, the development of industries essential for collective self-reliance and, on the other, the modernization of priority sectors of the economy especially:
 - i. food and agro-based industries;
 - ii. building and construction industries;
 - iii. metallurgical industries;
 - iv. mechanical industries;
 - v. electrical, electronics and computer industries;
 - vi. pharmaceutical, chemical and petro-chemical industries;
 - vii. forestry industries;
 - viii. energy industries;
 - ix. textile and leather industries;
 - x. transport and communications industries;
 - xi. bio-technology industries;
 - xii. tourist and cultural industries;
 - b) give priority and encouragement to the establishment and strengthening of private and public

- multinational industrial projects;
- g) facilitate the establishment of West African

appropriate technological capabilities required for the exploration, exploitation and processing of mineral and water resources;

- g) coordinate their positions in all international negotiations on raw materials; and
- h) develop a system of transfer of expertise and exchange of scientific, technical and economic remote sensing data among Member States.

CHAPETR VIII

CO-OPERATION ON TRANSPORT, COMMUNICATIONS AND TOURISM

ARTICLE 32

TRANSPORT AND COMMUNICATIONS

1. For the purpose of ensuring the harmonious integration of the physical infrastructures of Member States and the promotion and facilitation of the movement of persons, goods and services within the Community, Member States undertake to:

- a) evolve common transport and communications policies, laws and regulations;
- b) develop an extensive network of all weather highways within the Community, priority being given to the inter-States highways;
- c) formulate plans for the improvement and integration of railway *and* road networks in the region;
- d) formulate programmes for the improvement of coastal shipping services and inter-state inland waterways and the harmonisation of policies on maritime transport and services;
- e) coordinate their positions in international negotiations in the area of maritime transport;
- f) encourage cooperation in flight-scheduling, leasing of aircraft and granting and joint use of fifth freedom rights to airlines of the region;
- g) promote the development of regional air transportation services and endeavour to bring about the merger of national airlines in order to promote their efficiency and profitability;
- h) facilitate the development of human resources through the harmonisation and co-ordination of their national training programmes and policies in the area of transportation in general and air transport in particular;
- i) endeavour to standardise equipment used in transport, and communications and establish common facilities for production, maintenance and repair;

2. Member States also undertake to encourage the establishment and promotion of joint ventures and Community enterprises and the participation of private sector in the areas of transport and communications.

ARTICLE 33

POSTS AND TELECOMMUNICATIONS

1. In the area of postal services, Member States undertake to:

- a) foster closer cooperation between their postal administration;
- b) ensure, within the Community, efficient, efficient and more frequent postal services;
- c) harmonize mail routing

2. In the area of telecommunications, Member States shall:

- a) develop, modernize, coordinate and standardize their national telecommunications networks in order to provide reliable interconnection among Member States;
- b) complete, with dispatch, the section of pan-African telecommunications network situated in West Africa;
- c) coordinate their efforts with regard to the operation and maintenance of the West African of the pan-African telecommunications network and in the mobilization of national and international financial resources

3. Member States also undertake to encourage the participation of the private sector in offering postal and telecommunications services, as a means of attaining the objectives set out in this Article.

**ARTICLE 34
TOURISM**

For the purposes of ensuring the harmonious and viable development of tourism within the Community, Member States undertake to:

- a) strengthen regional cooperation in tourism, particularly through:
 - i) the promotion of intra-Community tourism by facilitating movement, of travellers and tourists;
 - ii) the harmonisation and coordination of tourism development policies, plans and programmes;
 - iii) the harmonisation of regulations governing tourism and hotel management activities;
 - iv) the institution of a Community reference framework for tourism statistics; and
 - v) the joint promotion of tourism products portraying the natural and socio-cultural values of the region.
- b) promote the establishment of efficient tourism enterprises to cater for the needs of the peoples of the region and foreign tourists through:
 - i) the adoption of measures aimed at promoting investment in tourism and hotel management;
 - ii) the promotion of the establishment in Member States of professional tourism and hotel management associations;
 - iii) the development and optimum utilisation of human resources for tourism in the region; and
 - iv) the strengthening or establishment of regional tourism training institutions where necessary.
- c) eliminate all discriminating measures and practises against community citizens in the area of tourist and hotel services.

**CHAPETER VIII
CO-OPERATION IN TRADE, CUSTOMS, TAXATION, STATISTICS,
MONEY AND PAYMENTS**

**ARTICLE 35
LIBERALISATION OF TRADE**

There shall be progressively established in the course of period of ten (10) years effective from 1 January 1990 as stipulated in Article 54, a Customs union among the Member States. Within this union, Customs duties or other charges with equivalent effect on Community originating imports shall be eliminated.

Quota, quantitative or like restrictions or prohibitions and administrative obstacles to trade among the Member States shall also be removed. Furthermore,

loss of revenue resulting from the importation of these products.

3. Member States undertake to eliminate import duties on industrial goods which are eligible for preferential Community tariff treatment in accordance with the decisions of the Authority and Council relating to the liberalisation of intra-Community trade in industrial products.

4. The Authority may at any time, on the recommendation of the Council, decide that any import duties shall be reduced more rapidly or eliminated earlier than stipulated in any previous instrument or decision. However, the Council shall, not later than one calendar year preceding the date in which such reductions or eliminations come into effect, examine whether such reductions or eliminations shall apply to some or all goods and in respect of some or all the Member States and shall report the result of such examination for the decision of the Authority.

ARTICLE 37 COMMON EXTERNAL TARIFF

1. Member States agree to the gradual establishment of a common external tariff in respect of all goods imported into the Member States from third countries in accordance with a schedule to be recommended by the Trade, Customs, Taxation, Statistics, Money and Payments Commission.

2. Member States shall, in accordance with a schedule to be recommended by the Trade, Customs, Taxation, Statistics, Money and Payments Commission, abolish existing differences in their external Customs tariffs.

3. Member States undertake to apply the common Customs nomenclature and Customs statistical nomenclature adopted by Council.

ARTICLE 38 COMMUNITY TARIFF TREATMENT

1. For the purposes of this Treaty, goods shall be accepted as eligible for Community tariff treatment if they have been consigned to the territory of the importing Member State from the territory of another Member State and originate from the community.

2. The rules governing products originating from the Community shall be as contained in the relevant Protocols and decisions of the Community.

3. The Trade, Customs, Taxation, Statistics, Money and Payments Commission shall from time to time examine whether the rules referred to in paragraph 2 of this Article can be amended to make them simpler and more liberal. In order to ensure their smooth and equitable operation, the Council may from time to time amend them.

ARTICLE 39 TRADE DEFLECTION

1. For the purposes of this Article, trade is said to be deflected if,

- (a) imports of any particular product by a Member State from another Member State increase,
 - (i) as a result of the reduction or elimination of duties and charges on that product, and
 - (ii) because duties and charges levied by the exporting Member States on imports of raw materials used for manufacture of the product in question are lower than the corresponding duties and charges levied by the importing Member State; and

the territory of the .importing Member State.

2. The Council shall keep under review the question of trade deflection and its causes. It shall take such decisions as are necessary, in order to deal with the causes of this deflection.
3. In case of trade deflection to the detriment of a Member State resulting from the abusive reduction or elimination of duties and charges levied by another Member State, the Council shall study the question in order to arrive at a just solution.

ARTICLE 40 FISCAL CHARGES AND INTERNAL TAXATION

1. Member States shall not apply directly or indirectly to imported goods from any Member State fiscal charges in excess of those applied to like domestic goods or otherwise impose such charges for the effective protection of domestic goods.
2. Member States shall eliminate all effective internal taxes or other internal charges that are made for the protection of domestic goods not later than four (4) years after the commencement of the trade liberalisation scheme referred to in Article 54 of this Treaty. Where by virtue of obligations under an existing contract entered into by a Member State such a Member State is unable to comply with the provisions of this Article, the Member State shall duly notify the Council of this fact and shall not extend or renew such contract at its expiry.
3. Member States shall eliminate progressively all *revenue* duties designed to protect domestic goods not later than the end of the period for the application of the trade liberalisation scheme referred to in Article 54 of this Treaty.
4. Member States undertake to be bound by the consolidated import duties contained in the ECOWAS Customs Tariff for the purposes of trade liberalisation within the Community.
5. Member States undertake to avoid double taxation of Community citizens and grant assistance to one another in combating international tax evasion.
6. The conditions and modalities for granting such assistance shall be as contained in a Double Taxation and Assistance Convention.

ARTICLE 41 QUANTITATIVE RESTRICTIONS ON COMMUNITY GOODS

1. Except as may be provided for or permitted by this Treaty, Member States undertake to relax gradually and to remove over a maximum period of four (4) years after the launching of the trade liberalisation scheme referred to in Article 54, all the then existing quota, quantitative or like restrictions or prohibitions which apply to the import into that State of goods originating in the other Member States and thereafter refrain from imposing any further restrictions or prohibitions. Where by virtue of obligations under an existing contract entered into by a Member State such a Member State is unable to comply with the provisions of this Article, the Member State shall duly notify Council of this fact and shall not extend or renew such contract at its expiry.
2. The Authority may at any time, on the recommendation of the Council decide that any quota, quantitative or like restrictions or prohibitions shall be relaxed more rapidly or removed earlier than agreed upon under paragraph 1 of this Article.
3. A Member State may, after having given notice to the Executive Secretary and the other Member

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States of its intention to do so, introduce or continue to execute restrictions or prohibitions affecting:

- (a) the application of security laws and regulations;
- (b) the control of arms, ammunition and other war equipment and military items;
- (c) the protection of human, animal or plant health or life or the protection of public morality;
- (d) the transfer of gold, silver and

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1. The Council shall, on the report of the Executive Secretary and the recommendation of the Trade, Customs, Taxation, Statistics, Money and Payments Commission, determine the compensation to be paid to a Member State which has suffered loss of import duties as a result of the application of this Chapter.
2. The Council shall, in addition to compensation to be paid to Member States which suffer loss of revenue as a result of the application of this Chapter, recommend measures for promoting productive and export capacities of these countries so as to enable them to take full advantage of the benefits of trade liberalisation.
3. The method of assessment of the loss of revenue and compensation shall be as stipulated in the Protocol on the Assessment of Loss of Revenue.

**ARTICLE 49
EXCEPTION AND SAFEGUARD CLAUSES**

1. In the event of serious disturbances occurring in the economy of a Member State following the application of the provisions of this Chapter, the Member State concerned shall, after informing the Executive Secretary and the other Member States, take the necessary safeguard measures pending the approval of the Council.
2. These measures shall remain in force for a maximum period of one year. They may not be extended beyond that period except with the approval of the Council.
3. The Council shall examine the method of application of these measures while they remain in force.

**ARTICLE 50
TRADE PROMOTION**

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goods and services and the realisation of the Community's objective of establishing a monetary union, Member States undertake to:

- (a) study monetary and financial developments in the region;
- (b) harmonise their monetary, financial and payments policies;
- (c) facilitate the liberalisation of intra-regional payments transactions and, as an interim measure, ensure limited convertibility of currencies;
- (d) promote the role of commercial banks in intra/Community trade financing;
- (e) improve the multilateral system for clearing of payments transactions between Member States, and introduce a credit and guarantee fund mechanism.
- (f) take necessary measures to (pay m)8.3 1 TD.0007 Tc-.0007 Tw19(prom)8.3(ote5the role 9(a)007 Titat

1. Member States undertake to achieve the status of an economic union within a maximum period of fifteen (15) years following the commencement of the regional trade liberalisation scheme, adopted by the Authority through its decision A/DEC.1/9/83 of 20 May 1983 and launched on 1 January 1990.
2. Member States shall give priority to the role of the private sector and joint regional multinational enterprises in the regional economic integration process.

**ARTICLE 55
COMPLETION OF AN ECONOMIC AND MONETARY UNION**

1. Member States undertake to complete within five (5) years following the creation of a Customs union, the establishment of an economic and monetary union through:
 - i) the adoption of a common policy in all fields of socio-economic activity particularly agriculture, industry, transport, communications, energy and scientific research;
 - ii) The total elimination of all obstacles to the free movement of people, goods, capital and services and the right of entry, residence and establishment.
 - iii) the harmonisation of monetary, financial and fiscal policies, the setting up of a West African monetary union, the establishment of a single regional Central Bank and the creation of a single West African currency.
2. The Authority may at anytime, on the recommendation of the Council, decide that any stage of the integration process shall be implemented more rapidly than otherwise provided for in this Treaty.

**CHAPETER X
CO-OPERATION IN POLITICAL, J**

2. For the purposes of paragraph 1 of this Article, Member States undertake to:
 - a)

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- a) include population issues as central components in formulating and implementing national policies and programmes for accelerated and balanced socio-economic development;
- b) formulate national population policies and establish national population institutions;
- c) undertake public sensitization on population matters, particularly among the target groups; and
- d) collect, analyse and exchange information and data on population issues.

**ARTICLE 65
INFORMATION RADIO AND TELEVISION**

Member States undertake to:

- a) coordinate their efforts and pool their resources in order to promote the exchange of radio and television programmes at bilateral and regional levels;
- b) encourage the establishment of programmes exchange centres at regional level and strengthen existing programme exchange centres;
- c) use their broadcasting and television systems to promote the attainment of the objectives of the Community.

any other assistance that they may need.

**CHAPTER XIV
FINANCIAL PROVISIONS
ARTICLE 69
BUDGET OF THE COMMUNITY**

1. There shall be established a budget of the Community and, where appropriate, of any of the Institutions of the Community.
2. All income and expenditure of the Community and its institutions shall be approved by the Council or other appropriate bodies for each financial year and shall be charged to the budget of the Community or the institution concerned.
3. A draft budget shall be proposed for each financial year by the Executive Secretary or by the Head of the Institution concerned and approved by the Council or other appropriate body on the recommendation of the Administration and Finance Commission.
- 4- The Administration and Finance Commission shall consider the draft budget and all financial issues concerning the institutions of the Community and shall examine issues pertaining mainly to administration and personnel management in the institutions83ll be pro9P4sll be aO6

5. Member States undertake to facilitate the application of the provisions of this Article-

**ARTICLE 73
CONTRIBUTIONS BY MEMBER STATES**

1. The mode by which the contributions of Member States shall be determined and the currencies in which the contributions are paid shall be as determined by Council.
2. Member States undertake to promptly transfer their assessed contributions to the Community .

**ARTICLE 74
FINANCIAL REGULATIONS**

The Financial Regulations and Manual of Accounting Procedures of the Community shall govern the application of the provisions of this Chapter.

**ARTICLE 75
EXTERNAL AUDITORS**

1. The External Auditors of the Community shall be

**ARTICLE 82
RELATIONS BETWEEN THE COMMUNITY AND REGIONAL SOCIO-ECONOMIC
ORGANISATIONS AND ASSOCIATIONS**

1. The Community, with a view to mobilizing the various actors in socio-economic life for the integration of the region, shall co-operate with socio-economic organizations and associations, in particular, producers, transport operators, workers, employers, university teachers and administrators, journalists youth, women, artisans and other professional organizations and associations with a view to encourage their involvement in the integration process of the region.
2. To this end, the Community shall set up a mechanism for consultation with such socio-economic organizations and associations.

**CHAPTER XX
RELATIONS BETWEEN THE COMMUNITY, THIRD COUNTRIES
AND INTERNATIONAL ORGANISATIONS**

**ARTICLE 83
COOPERATION AGREEMENTS**

1. The Community may conclude cooperation agreements with third countries.
2. In pursuit of its objective, the Community shall also co-operate with the Organisation of African Unity, the United Nations system, and any other international organization.
3. Cooperation agreements to be concluded in accordance with the provisions of paragraphs 1 and 2 of this Article shall be subject to prior approval by the Council upon the proposal of the Executive Secretary.

**CHAPTER XXI
RELATIONS BETWEEN MEMBER STATES, NON-MEMBER STATES, REGIONAL
ORGANISATIONS AND INTERNATIONAL ORGANISATIONS**

**ARTICLE 84
AGREEMENTS CONCLUDED BY MEMBER STATES**

1. Member States may conclude agreements among themselves and with non-Member States, regional organisations or any other international organizations, provided that economic agreements are not incompatible with the provisions of this Treaty. They shall, at the request of the Executive Secretary, transmit copies of such economic agreements to the Executive Secretary who shall inform the Council thereof.
2. In the event that agreements concluded before the entry into force of this Treaty between Member States or between Member States and non-Member States, regional organisations or any other international organisations are incompatible with the provisions of this Treaty, the Member State or Member States concerned shall take appropriate measures to eliminate such incompatibility. Member States shall, where necessary, assist each other to this end and adopt a common position,

**ARTICLE 85
INTERNATIONAL NEGOTIATIONS**

1. Member States undertake to formulate and adopt common positions within the Community on issues relating to international negotiations with third parties in order to promote and safeguard the interests of the region.

2. To this end, the Community shall prepare studies and reports designed to help Member States to harmonise better their positions

**CHAPTER XXII
GENERAL AND FINAL PROVISIONS
ARTICLE 86
HEADQUARTERS OF THE COMMUNITY**

The Headquarters of the Community shall be situated in the capital of the Federal Republic of Nigeria.

**ARTICLE 87
OFFICIAL AND WORKING LANGUAGES°**

1. The official languages of the Community shall be all West African languages so designated by the Authority as well as English, French and Portuguese.
2. The working languages of the Community shall be English, French and Portuguese.

**ARTICLE 88
STATUS, PRIVILEGES AND IMMUNITIES**

1. The Community shall enjoy international legal personality.
2. The Community shall have in the territory of each Member State:
 - a) the legal powers required for the performance of the functions assigned to it under this Treaty;
 - b) power to enter into contracts and acquire, hold and dispose of movable and immovable property.
3. In the exercise of its legal personality under this Article, the Community shall be represented by the Executive Secretary.
4. The privileges and immunities to be recognized and granted by the Member States to the officials of the Community, its institutions and their respective headquarters shall be as provided for in the General Convention on Privileges and Immunities of the Community and the Headquarters Agreement.

**ARTICLE 89
ENTRY INTO FORCE AND RATIFICATION**

This Treaty and the Protocols which shall form an integral part thereof shall respectively enter into force, upon ratification by at least nine signatory States, in accordance with constitutional procedures of each signatory State.

**ARTICLE 90
AMENDMENTS AND REVISIONS**

1. Any Member State may submit proposals for the amendment or revision of this Treaty.
2. Any such proposals shall be submitted to the Executive Secretary who shall notify other Member States thereof not later than thirty (30) days after the receipt of such proposals. Amendments or revisions shall not be considered by the Authority unless Member States shall have been given at least three months
3. Amendments or revisions shall be adopted by the Authority in accordance with the provisions of Article 9 of this Treaty and shall be submitted for ratification by all Member States in accordance with

their respective constitutional procedures. They shall enter into force in accordance with Article 89 of this Treaty.

**ARTICLE 91
WITHDRAWAL**

1. Any Member State wishing to withdraw from the Community shall give to the Executive Secretary one year's notice in writing who shall inform Member States thereof. At the expiration of this period,

