



Official Journal

Vol. 27
(Revision)

of the Economic Community of
West African States (ECOWAS)

English Edition

July/August 1994

CONTENT

PAGE

Protocol

1. Relating to the Community Parliament.

1

A/P2/8/94

PROTOCOL RELATING TO THE COMMUNITY PARLIAMENT

THE HIGH CONTRACTING PARTIES

MINDFUL of Article 7 of the Revised Treaty of the Economic Community of West African States establishing the Authority of Heads of State and Government and defining its composition and functions;

MINDFUL of the provisions of Article 6 Paragraph 1 and of Article 13 of the Revised Treaty relating to the establishment of the Community Parliament;

AWARE that the integration of Member States into a viable regional community requires, for the settlement of issues, the will of Member States to take all necessary measures for the success of such an enterprise;

CONVINCED that the Community Parliament as a forum for dialogue, consultation and consensus for representatives of the peoples of the Community, can effectively promote integration;

RECALLING the ECOWAS Declaration of Political Principles adopted by the Authority of Heads of State and Government at its fourteenth ordinary session held in Abuja from 4th to 6th July, 1991;

DESIROUS of concluding a Protocol defining the structure, composition, competence, and other matters relating to the Community Parliament;

HEREBY AGREE AS FOLLOWS:

Article 1

DEFINITIONS

In this Protocol, the following expressions shall have the meanings assigned to them hereunder:

"Authority" means Authority of Heads of State and Government of the Community referred to under Article 7 of the Revised Treaty;

"Bureau" means officers of the Parliament elected into a body in accordance with Articles 14 and 18 of this Protocol;

"Chairman of the Authority" means the current Chairman of the Authority of Heads of State and

Government of the Economic Community of West African States;

"Community" means the Economic Community of West African States referred to under Article 2 of the Revised Treaty;

"Community Citizen" or **"Community Citizens"** means any person who is a national of a Member State in accordance with the conditions stipulated in Protocol A/P3/5/82 relating to the definition of Community Citizens;

"Council" means the Council of Ministers of the Community referred to under Article 10 of the Revised Treaty;

"Executive Secretary" means the Executive Secretary of the Community appointed in accordance with Article 18 of the Revised Treaty;

"Executive Secretariat" means the Executive Secretariat referred to under Article 17 of the Revised Treaty;

"Member State" or **"Member States"** means a Member State or Member States of the Community;

"Member of Parliament" or **"Members of Parliament"** means one or more representatives elected in accordance with Article 7 of this Protocol;

"Parliament" means the Community Parliament established in accordance with Article 13 of the Revised Treaty;

"Representative" or **"Representatives"** is the title of a member or members of the Community Parliament;

"Speaker" means the member of the Community Parliament elected to conduct its business in accordance with Article 15 of this Protocol;

"Treaty" means the Revised Treaty of the Economic Community of West African States signed in Cotonou on 24th July, 1993 and includes Protocols and Conventions relating thereto.

Article 2

STRUCTURE

1. The Parliament shall be the Assembly of the peoples of the Community.

2. Members of the Parliament shall be deemed to represent all the peoples of the Community. They shall be known as "Representatives".

Article 3

DESIGNATION

The House of Representatives of the Peoples of the Community shall be designated:

- "Community Parliament"

Article 4

SEAT OF THE PARLIAMENT

The Seat of the Parliament shall be determined by the Authority.

Article 5

COMPOSITION

The Parliament shall be composed of one hundred and twenty (120) seats.

Each Member State shall have a guaranteed minimum of five (5) seats.

The remaining forty (40) seats shall be shared on the basis of population.

Representation for each Member State shall be as follows:

- Benin	- five (5) seats
- Burkina Faso	- six (6) seats
- Cape Verde	- five (5) seats
- Cote d'Ivoire	- seven (7) seats
- Gambia	- five (5) seats
- Ghana	- eight (8) seats
- Guinea	- six (6) seats
- Guinea Bissau	- five (5) seats
- Liberia	- five (5) seats
- Mali	- six (6) seats
- Mauritania	- five (5) seats
- Niger	- six (6) seats
- Nigeria	- thirty five (35) seats
- Senegal	- six (6) seats
- Sierra Leone	- five (5) seats
- Togo	- five (5) seats

Whenever necessary, the number and distribution of seats shall be reviewed by the Authority on its own initiative or on the recommendation of the Parliament.

Article 6

COMPETENCE

1. The Parliament may consider any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the Institutions and Organs of the Community.
2. The Parliament may be consulted for its opinion on matters concerning the Community.

The opinion of the Parliament shall be sought in the following areas:

- (a) interconnection of the communications links between Member States so as to make free movement of persons and goods effective;
- (b) interconnection of telecommunications systems to form an effective Community network with the maximum possible number of extensions to the rural areas to make them more accessible;
- (c) interconnection of energy networks;
- (d) increased cooperation in the area of radio, television and other media links within the Community and between the Community and the rest of the world, development of national communications systems to form an integrated, effective Community system with its own programmes;
- (e) public health policies for the Community;
- (f) common educational policy through harmonisation of existing systems and specialisation of existing universities; adjustment of education within the Community to international standards;
- (g) youth and sports;
- (h) scientific and technological research;
- (i) Community policy on environment;

Article 11

VOTING

1. Members of Parliament shall vote personally and on their own conviction. They shall not be bound by any instructions or mandate.
2. The Rules of Procedure of the Parliament shall exceptionally authorize the delegation of vote. Where this is done, no one shall be allowed to be delegated for more than one mandate.

Article 12

INCOMPATIBILITY

The post of the Member of the Community Parliament shall not be held concurrently with the following:

- members of government, the constitutional council, the supreme court of a Member State;
- members of Courts and Tribunals of the Member States;
- judge, lawyers or registrar in the Community Court of Justice and the Community Court of Arbitration;
- member of any institution created in application of the Revised Treaty, to administer the Community's funds or a permanent task directly connected with a serving officer in the ECOWAS Institutions, or any other post in an International Organisation;
- all other civil and public servants in Member States.

Article 13

SESSIONS OF THE PARLIAMENT

1. ORDINARY SESSIONS

- (a) Sessions shall cover a maximum period of three months during which the Parliament shall sit. Parliament shall meet at least twice a year in Ordinary Session. Sessions shall be convened by the Bureau, subject to the provisions of Article 14 of this Protocol.
- (b) Conduct of Ordinary Sessions of Parliament shall be governed by the Rules of Procedure.

2. EXTRAORDINARY SESSIONS

- (a) Parliament may also meet in Extraordinary Session to discuss a specific agenda:
 - either at the initiative of the current Chairman of the Authority;
 - or at the express request in writing of an absolute majority of Members addressed to the Speaker.
- (b) Conduct of Extraordinary Session of Parliament shall be governed by the Rules of Procedure. These sessions shall end once the agenda is exhausted.
3. The Executive Secretary shall attend or ensure that he is represented at all meetings of Parliament.

Article 14

FIRST SESSION

1. CONVENING OF PARLIAMENT

- (a) The first meeting of the Parliament shall be convened by the current Chairman of Authority upon the recommendations of the Executive Secretary.
- (b) The Executive Secretary shall, upon the entry into force of the Revised Treaty establishing the Parliament, request Member States to take action in accordance with Article 7 of this Protocol.
- (c) The Executive Secretary shall, upon receiving the names of at least three quarters of the Members of Parliament forwarded by the States, convene the constituent meeting of the Parliament upon consultations with the current Chairman of Authority.

2. FIRST MEETING

- (a) The first meeting of the Parliament shall be chaired by the oldest Member. The youngest Member shall act as Secretary.
- (b) The Chairman of the meeting shall instruct that a roll-call of the meeting be taken.

- (c) The Chairman of the meeting shall call on the Parliament to elect its Speaker.
- (d) Nominations shall be called for in plenary session and voting shall take place by secret ballot,
- (e) The Speaker of Parliament shall be elected by a two-thirds majority of Members of Parliament at the first round of voting, by an absolute majority of voting Members at the following rounds at which only the two candidates who obtained the highest number of votes can be presented.
- (f) The Speaker shall be elected for the life of the Parliament.
- (g) The Chairman of the meeting shall thereafter call on the elected member to take his seat as the Speaker and preside over the deliberations.
- (h) Parliament shall adopt its rules of procedure by a two-thirds majority.
- (i) The Speaker shall then initiate the election of other Officers of the Bureau.

Article 15

THE SPEAKER

The Speaker shall direct the business of the Parliament and its organs. He presides over meetings and conducts the debates in accordance with the provisions of the Rules of Procedure.

Article 16

BUREAU

1. COMPOSITION

- (a) The Bureau shall comprise a Speaker, Deputy Speakers, Treasurers and Parliamentary Secretaries. The number of Deputy Speakers, Treasurers and Parliamentary Secretaries shall be determined in accordance with the Rules of Procedure. The General Secretary shall be nominated by the Speaker after consultation with the Bureau.
- (b) With the exception of the Speaker, members of the Bureau shall be elected for a period of one year. They shall be eligible for re-election.

2. ORDER OF PRECEDENCE

The order of precedence for Members of the Bureau shall be determined in accordance with the Rules of Procedure.

Article 17

PUBLIC ATTENDANCE

Debates in the Parliament shall be open to the public unless otherwise directed by the Speaker. Verbatim reports of the proceedings shall be published in the Official Journal of the Community. Summary reports of the proceedings shall also be published in the National Gazette of each Member State.

Article 18

BUDGET OF THE PARLIAMENT

1. Parliament shall have financial autonomy.
2. The preparation and execution of its budget shall be in accordance with the Financial Regulations and Manual of Accounting Procedure of the Community.

Article 19

RULES OF PROCEDURE

All matters not provided for in this Protocol shall be determined by the Rules of Procedure.

Article 20

OFFICIAL LANGUAGES

The official and working languages of the Parliament shall be those specified in the ECOWAS Treaty.

Article 21

AMENDMENTS

1. Any Member State or the Speaker may, after consultation with the Bureau, submit proposals for amendment of this Protocol.
2. All proposals shall be transmitted to the Executive Secretary who shall forward them to the Member States and the Speaker within forty-five (45) days of receipt.
3. Such amendments shall be examined by the

Authority on the expiration of forty-five (45) days notice given to Member States.

Article 22

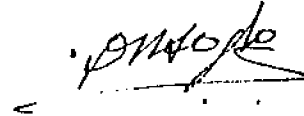
ENTRY INTO FORCE

1. This Protocol shall enter into force upon ratification by at least nine (9) signatory States in accordance with the constitutional regulations in force in each signatory State.
2. This Protocol and all its instruments of ratification shall be deposited with the Executive Secretariat of the Community which shall transmit certified true copies of the Protocol to all Member States, notify them of the date of deposit of the instruments of ratification and register the Protocol with the Organisation of African Unity, the United Nations and any other Organisation which may be determined by Council.
3. This Protocol is annexed to the Treaty and shall form an integral part thereof.

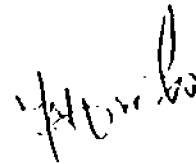
IN FAITH WHEREOF, WE THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED THIS PROTOCOL.

**DONE AT ABUJA,
THIS 6TH DAY OF AUGUST, 1994.**

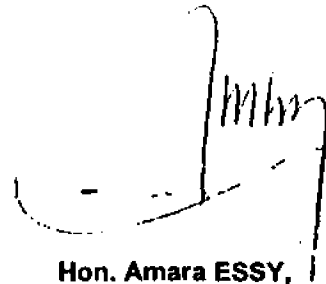
IN SINGLE ORIGINAL IN ENGLISH, FRENCH AND PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC.



H. E. Nicéphore Dieudonne SOGLO,
President of the Republic of BENIN.



Hon. Hermann YAMEOGO,
*Minister of State for African Integration and Solidarity
for and on behalf of the President of
BURKINA FASO.*



Hon. Amara ESSY,
*Minister of Foreign Affairs, for and on behalf of the
President of the Republic of COTE D'IVOIRE.*



Hon. Joao Higinio do Rosario SILVA,
*Minister of Tourism, Industry and Commerce, for and
on behalf of the Prime Minister of the Republic of
CABO VERDE.*

H. E. Lt. Sana B. SABALLY,
Vice Chairman of the Armed Forces Provisional Ruling Council of The GAMBIA.

H. E. David KPOMAKPOR,
Chairman of the Council of State, Liberian National Transitional Government (LNTG) Republic of LIBERIA.

H. E. Ft.-Lt. Jerry John RAWLINGS,
President of the Republic of GHANA.

Hon. Mrs. Sy Kadiatou SOW,
Minister of Foreign Affairs of Malians Resident Abroad and of African Integration, for and on behalf of the President of the Republic of MALI.

H. E. Lansana CONTE,
Head of State, President of the Republic of GUINEA.

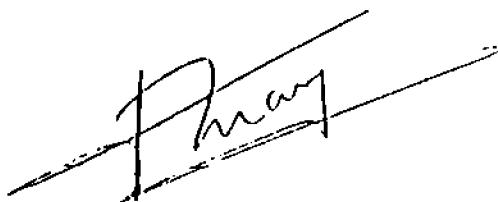
Hon. Ahmed Ould ZEIN,
Minister, Secretary-General of the Presidency, for and on behalf of the Head of State of the Islamic Republic of MAURITANIA.

H. E. General Joao Bernardo VIEIRA,
President of the Council of State of the Republic of GUINEA BISSAU.

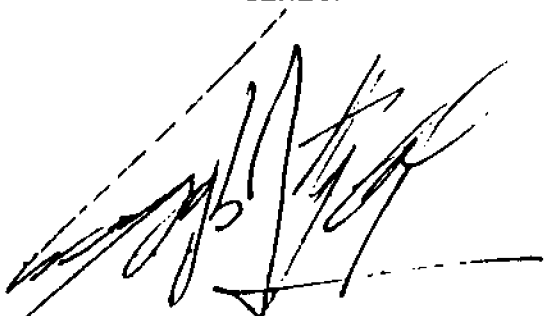
H. E. Mahamane OUSMANE,
President of the Republic of NIGER.



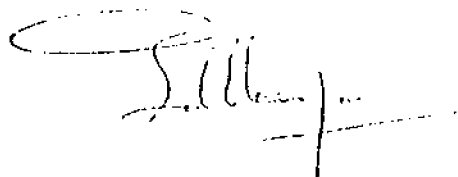
H. E. General Sani ABACHA,
*Head of State, Commander-in-Chief of the Armed
Forces of the Federal Republic of NIGERIA.*



Hon. Magatte THIAM,
*Minister of African Economic Integration, for and on
behalf of the President of the Republic of
SENEGAL.*



H. E. Captain Valentine E. M. STRASSER,
*Chairman, National Provisional Ruling Council and
Head of State of the Republic of SIERRA LEONE.*



H. E. Edem KODJO,
*Prime Minister of the Republic of TOGO, for and on
behalf of the President of the TOGOLESE Republic.*