

accordance with the ECOWAS Staff Regulations, and this staff shall subsequently be appropriately deployed by the Financial Controller. The Staff shall report directly to the Financial Controller.

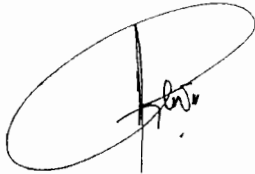
ARTICLE 5

The attached organisation chart indicating the structure for the Offices of the Financial Controller and the Internal Auditor is hereby adopted.

ARTICLE 6

This Regulation shall be published in the Official Journal of the Community by the Commission 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 in the National Gazette of each Member State.

**DONE AT OUAGADOUGOU,
THIS 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAODOU,
CHAIRPERSON,
FOR THE COUNCIL.**

REGULATION REG.28/12/06 ESTABLISHING NATIONAL MONITORING STRUCTURES ON FREE MOVEMENT OF PERSONS ON THE HIGHWAYS AND AT THE BORDERS WITH ECOWAS REGION

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11, and 12 of the ECOWAS Treaty as amended in June 2006 establishing the Council of Ministers and defining its composition and functions,

MINDFUL of Article 59 of the Treaty committing Member States to take measures to ensure that community citizens fully enjoy their rights in the area of free movement within ECOWAS;

MINDFUL of Protocol A/P1/5/79 of 29 May 1979 on free movement of persons, right to residence and establishment;

MINDFUL of Decision A/DEC.2/7/85 of 6 July 1985 establishing an ECOWAS Travel Certificate

MINDFUL of Decision A/DEC. 1/5/2000 adopting the ECOWAS Passport

MINDFUL of the Final Communiqué of the twenty-seventh session of the Authority of Heads of State and Government deploring the existence of numerous roadblocks which impede free movement of persons, the right of residence and establishment;

NOTING that harassments still exist on the highways and at the borders, in spite of the 30 years of awareness raising campaigns directed at border security agents and the citizenry;

CONSIDERING that fact-finding missions undertaken along the highways and at the borders of Member States have confirmed that the protocols on free movement of persons are not effectively implemented;

WISHING to address the concerns of Community citizens and to promote trade and investments in the sub-region;

DESIROUS therefore of creating monitoring structures on free movement of persons on the highways and at the borders of crucial importance in ECOWAS, as well as the coordination bureau with a view to attaining the objective of free movement of persons;

ON THE RECOMMENDATION of the meeting of Heads of Immigration Services of Member States held in Abuja, 26 - 27 October, 2006;

HAVING CONSIDERED the report relating to the sensitization mission on free movement of persons and good, undertaken in the Member States in November and December 2006 by the representative of the Chairperson of Council.

ENACTS

ARTICLE 1: ESTABLISHMENT OF UNITS: PILOT PHASE

- Member States shall establish Monitoring Units on free movement of persons at the border posts.
- A two-year pilot programme (2007 and 2009) covering the Lagos-Cotonou-Lome-Accra-Abidjan-Ouagadougou-Bamako-Conakry corridors is hereby adopted.

ARTICE 2: COMPOSITION

The monitoring units on free movement of persons shall comprise the following:

- Three (3) civil society representatives
- Three (3) private sector representatives
- National Members of the ECOWAS Parliament
- A government Lawyer
- One (1) representative of the ECOWAS National Unit

ARTICLE 3: MISSION

The monitoring units on free movement of persons shall:

- compile a list of all ECOWAS basic texts on free movement of persons, right to residence and establishment and make them available to people from all walks of life;
- Popularize among police officers, gendarmes, customs and immigration officers and judicial officers, orders, degrees, laws, protocols and all other instruments relating to free movement of persons;
- determine the type of checks carried out;
- identify existing forms of harassment;
- note, denounce and prepare reports on breaches to free movement and expose those

responsible so that appropriate sanctions can be imposed on them;

- monitor the application of sanctions;
- nominate for reward the best security agents who respect the right of citizens in the area of free movement
- plan and organize at border posts public awareness programmes on rights and duties relating to free movement of persons, right to residence and establishment;

ARTICLE 4: MONITORING AND APPLICATION OF SANCTIONS

The monitoring units on free movement of persons shall ensure the application of the sanctions imposed and report to the Commissioner for Trade, Customs and Free Movement of Persons who shall inform the Council of Ministers and the Authority of Heads of State and Government.

ARTICLE 5: ESTABLISHMENT OF A COORDINATION BUREAU

To enable the pilot units located along the Cotonou-Lome-Accra-Abidjan, Ouagadougou-Bamako-Conakry corridors to effectively pursue their objective, a co-ordination bureau for the pilot units is hereby established.

ARTICLE 6: OBJECTIVES OF THE COORDINATION BUREAU

The coordination bureau shall:

- ensure that the pilot units strictly comply with their terms of reference;
- carry out periodic evaluation of the performance of the pilot units;
- provide basic training for the members of the pilot units on the community law on free movement of persons, right to residence and establishment;
- provide pilot units with documentation or and other tool necessary for the realization of their activities;
- prepare consultative meetings to enable the various units to exchange good practices so as to identify problems and find solutions to them.

**ARTICLE 7:
RESOURCES OF THE PILOT UNITS AND THE
COORDINATION BUREAU**

The Commission shall provide the pilot units and the coordination bureau with human, financial and material resources to enable them to attain their objectives.

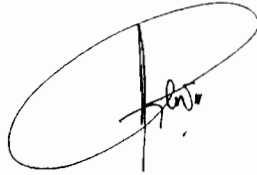
ARTICLE 8: EXTENSION OF THE UNITS

At the end of the 2007-2009 pilot phase, and after evaluation of progress, the Council of Ministers shall replicate the monitoring units on the free movement of persons at other major borders.

ARTICLE 9:

This Regulation shall be published in the Official Journal of the Community by the Commission 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 in the National Gazette of each Member State.

**DONE AT OUAGADOUGOU,
THIS 19TH DAY OF DECEMBER, 2006**



**HON. AÏCHATOU MINDAOU DOU,
CHAIRPERSON,
FOR THE COUNCIL.**

**REGULATION C/REG.29/12/06 AUTHORIZING
THE EXECUTIVE SECRETARY TO TERMINATE
THE APPOINTMENT OF MRS. TOKUNBO LIJADU-
OYEMADE, FORMER DIRECTOR OF
ADMINISTRATION, AND TO REPLACE HER WITH
A NIGERIAN NATIONAL**

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10., 11 and 12 of the ECOWAS Treaty, as amended in June 2006, establishing the Council of Ministers and defining its composition and functions;

CONSIDERING that dismissal of an officer of the Community is an administrative affair and that the procedure and appeals are provided for in the Staff Rules and Regulations of the institutions of the Community;

NOTING that the memorandum of the staff representatives is very critical of the former Director of Administration;

RECALLING, however, the willingness of Council to give a human face to the resolution of the issue relating to the dismissal of Mrs. Tokunbo Lijadu-Oyemade, and noting the initiatives already taken in this direction by the ECOWAS Executive Secretary;

CONSIDERING the need to put an end to the issue relating to the dismissal of Mrs. Tokunbo Lijadu-Oyemade, which has dragged on for three (3) years;

DESIROUS of providing the Institutions of the Community with highly qualified, competent staff, committed to the duties and obligations as prescribed by the Staff Regulations of the Institutions of the Community;

REAFFIRMING its commitment to abolish the quota system with regard to the appointment of professional staff;

DESIROUS however of maintaining the current equitable geographical distribution of professional staff posts among all the Member States;

ENACTS

ARTICLE 1

1. The Executive Secretary is hereby authorised to terminate the appointment of Mrs. Tokunbo