



FIFTIETH ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Abuja, 17 December 2016

SUPPLEMENTARY ACT A/SA.1/12/16 RELATING TO THE ENHANCEMENT OF THE POWERS OF THE ECOWAS PARLIAMENT

THE HIGH CONTRACTING PARTIES,

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

MINDFUL of Articles 6 and 13 of the said Treaty relating to the institutions of the Community and the establishment of the ECOWAS Parliament respectively;

MINDFUL of Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty and in particular establishing a new legal regime for the Community;

MINDFUL of the Protocol Relating to the Mechanism For Conflict Prevention, Management, Resolution, Peace-Keeping and Security of 10 December 1999 and in particular Chapter II;

MINDFUL of Supplementary Protocol A/SP.1/12/01 on Democracy and Good Governance;

MINDFUL of Protocol A/P2/8/94 relating to the Community Parliament;

MINDFUL of Supplementary Protocol A/SP.3/06/06 amending Protocol A/P.2/8/94 relating to the Community Parliament and in particular new Article 21;

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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 4 to 6 July, 1991;

CONSCIOUS that the mission of Parliamentarians worldwide is to represent the people, oversight sectoral activities, including Budget and to legislate for the good functioning of the society;

CONSCIOUS also of the fact that for the realization of vision 2020 of ECOWAS which advocates for the passage from an ECOWAS of States to an ECOWAS of peoples requires greater involvement of the people in the decision-making process of the Community;

CONVINCED that the enhancement of the Powers of ECOWAS Parliament will ensure full participation of the West African peoples in the economic development and integration of the Region;

HAVE AGREED AS FOLLOWS:

CHAPTER I GENERAL PROVISIONS

Article 1. DEFINITIONS

In this Supplementary Act,

1. **"Opinion"** means a Resolution of Parliament that is not binding;
2. **"Mandatory Assent"** means a Resolution of the Parliament that is binding;
3. **"Community Budget"** means all the income and expenditure of the ECOWAS Institutions contained in a single document;
4. **"Bureau"** means the body provided for in Article 25 of this Supplementary Act;



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5. **“Community Citizen”** 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 or in the most current Community Act defining Community citizenship;
6. **“Committee of Selection”** means the Committee constituted at the beginning of any legislature by the Plenary to assist the Bureau in composing members of each Standing Committee;
7. **“Commission”** means the ECOWAS Commission referred to in New Article 17 of Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty;
8. **“Standing Committee of Parliament”** means a Standing Committee established pursuant to Article 25 of this Supplementary Act;
9. **“Community”** means the Economic Community of West African States referred to under Article 2 of the Revised Treaty;
10. **“Authority”** means Authority of Heads of State and Government of the Community referred to under Article 7 of the Revised Treaty;
11. **“Conference of Committees’ Bureaux”** means the Conference of Committees’ Bureaux referred to under Article 25 of this Supplementary Act;
12. **“Council”** means the Council of Ministers of the Community referred to under Article 10 of the Revised Treaty;
13. **“Mediation and Security Council”** means the body constituted in Article 8 of the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security of 10/12/99;
14. **“Representative”** means a Member of ECOWAS Parliament representing all the peoples of the Community and is elected in accordance with Article 18 of this Supplementary Act;
15. **“Absolute Majority”** means a number of votes constituting more than 50% of the votes cast;

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16. **"Simple Majority"** means the highest number of votes cast;
17. **"Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security"** means the mechanism established by Article 1 of the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security of 10/12/99;
18. **"Parliament"** means the ECOWAS Parliament established in accordance with Article 13 of the Treaty;
19. **"Speaker"** means the Representative elected as Speaker to conduct the business of Parliament in accordance with the provisions of Article 24 of this Supplementary Act;
20. **"President"** means the President of the ECOWAS Commission appointed in accordance with New Article 18 of Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty;
21. **"Chairman of Authority"** means the current Chairman of the Authority of ECOWAS Heads of State and Government;
22. **"Ceremonial Speaker"** means an outgoing Speaker of the ECOWAS Parliament whose tenure has ended pending the election of a substantive Speaker;
23. **"Protocol relating to the Mechanism"** means the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security of 10/12/99;
24. **"Resolution of Parliament"** means an instrument through which Parliament applies its mandate in accordance with Article 15 of this Supplementary Act;
25. **"Non-Mandatory referral"** means matters that need not be referred to the Parliament;
26. **"Mandatory Referral"** means all the areas upon which Parliament must be consulted as provided for in Article 9 of this Supplementary Act;
27. **"Secretary General"** means the officer appointed to head the General Secretariat of the Parliament in accordance with Article 26 of this Supplementary Act;



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28. **"Secretariat" or "Secretariat of the Parliament"** means the General Secretariat of Parliament referred to under Article 26 of this Supplementary Act;
29. **"Treaty"** means the Revised Treaty of the Economic Community of West African States signed in Cotonou on 24 July 1993 and its amendments;

Article 2. DESIGNATION

1. The House of Representatives of the Peoples of the Community shall be designated "ECOWAS PARLIAMENT".
2. Members of ECOWAS Parliament represent all the peoples of the Community. They are to be known as "Representatives of the ECOWAS Parliament".

Article 3. STRUCTURE

1. The Parliament is the Representative Assembly of the peoples of the Community.
2. Its structure is defined in Article 25 of this Supplementary Act.

Article 4. OBJECTIVES OF THE PARLIAMENT

The objectives of the Parliament shall be to: ☐

- a. Contribute to the efficient and effective implementation of objectives and policies of the Community;
- b. Strengthen representative democracy in the Community; ☐
- c. Ensure the right of scrutiny and involvement of the West African populations in the process of integration of the region; ☐
- d. Contribute to the promotion of peace, security, and stability in the West African region;



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- e. Promote and defend the principles of human rights, democracy, the rule of law, transparency, accountability and good governance; ☐
- f. Promote the practice of accountability; ☐
- g. Inform and sensitize the populations of the West African region on the issues of integration;
- h. Contribute to a more prosperous future for the peoples of West Africa by promoting collective self-reliance and sustainable economic development;
- i. Strengthen cooperation, regional solidarity and advancement with a view to building a sense of common destiny; ☐
- j. Reinforce the legitimacy of the actions taken by the Community Executive in the field of regional integration;
- k. Participate in the process of enacting Community Acts pursuant to the goals of the Community and in areas defined under this Supplementary Act;
- l. Work towards harmonizing sectoral policies and legislations of Member States;
- m. Cooperate with National and Regional Parliaments and similar Bodies within and outside West Africa as well as civil societies with a view to promoting regional integration.

Article 5. THE LIFE OF THE LEGISLATURE

The life span of the Legislature shall be four (4) years from the date of its inauguration by the Chairman of the Authority.

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Article 6. COMPOSITION

1. The Parliament shall be composed of one hundred and fifteen (115) 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.
2. Representation for each Member State shall be as follows:

Benin	five (5) seats
Burkina Faso	six (6) seats
Cabo Verde	five (5) seats
Côte d'Ivoire	seven (7) seats
The 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
Niger	six (6) seats
Nigeria	thirty-five (35) seats
Senegal	six (6) seats
Sierra Leone	five (5) seats
Togo	five (5) seats
3. Whenever necessary, the number and distribution of seats may be reviewed by the Authority on its own initiative or on the recommendation of either the Council or the Parliament.

CHAPTER II COMPETENCE AND PARTICIPATION IN THE PROCESS OF ENACTING COMMUNITY ACTS

Article 7. COMPETENCE

Without prejudice to Article 6 (2) of the Treaty which preserves the mandate of respective Community Institutions within the limits of the powers conferred on them by Treaty or by Protocols relating thereto, the Parliament:



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- a. Shall be involved in the enactment of all Community Acts relating to ECOWAS Economic and Monetary integration policies or the Treaty;
- b. Shall be involved in the adoption of the Community Budget in the manner provided in Article 17 of this Supplementary Act;
- c. Shall exercise Parliamentary oversight functions over the activities of programme implementing bodies of the Community and adopt the appropriate Resolution;
- d. 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. In this regard, it may constitute committees of enquiry and may mediate on the matter;
- e. Shall be consulted on any issue concerning the Community except those referred to in Article 10 of this Supplementary Act; the nature of the Parliament's response to the matters considered shall be in accordance with Articles 11 and 12 of this Supplementary Act;
- f. May in collaboration with the Council and the Commission propose model and uniform laws to the Community.

Article 8. MODALITIES OF PARTICIPATION IN THE PROCESS OF ENACTING COMMUNITY ACTS

The Parliament shall reflect its view on the enactment of Community Acts by;

- a. Opinion
Mandatory Assent

Article 9. MANDATORY REFERRAL

1. Referral to Parliament is Mandatory in the following areas:

- a. Community budget;
- b. Revision of the Treaty and its annexes;
- c. Annual Audit Reports of Community Organs and Institutions;

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- d. Adoption or Review of all Community Acts relating to ECOWAS Economic and Monetary Integration including trade, customs, free movement of persons, goods and services, infrastructure, monetary cooperation, industry and mining, private sector and investment promotion;
 - e. Without prejudice to Article 10(d) of this Supplementary Act, other integration matters covered by the Technical Committees established under New Article 22, new paragraph (1.b) of the Supplementary Protocol A/SP.1/06/06 amending the Revised Treaty; and
 - f. Any other sectoral policy decided upon by the Authority.
2. All referrals shall be transmitted to the Parliament in the three (3) working languages of the Community.

Article 10. NON-MANDATORY REFERRAL

Referrals to Parliament are Non-Mandatory in the following areas: -

- a. International Agreements affecting the Community Institutions;
- b. Membership, sanction, Suspension or Exclusion of Member States by the Community;
- c. Creation of Institutions as referred to in Article 3 of the Treaty;
- d. Community defense, peace and security policies.

Article 11. OPINION

- 1. An Opinion of Parliament is required on the consideration of the Community Budget, the annual audit reports on Community Institutions, and other areas referred to under Article 9.1 of this Supplementary Act.
- 2. Where Parliament fails to render an Opinion within the period stipulated, the Parliament shall be deemed to have given an opinion.

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Article 12. MANDATORY ASSENT OF PARLIAMENT

The Mandatory Assent of Parliament is required in the following areas:

- a. Revision of the Treaty and its annexes;
- b. Promotion and protection of Human Rights and Fundamental Freedoms.
- c. Adoption or Review of all Community Acts relating to ECOWAS Economic and Monetary Integration policies including trade, customs, free movement of persons, goods and services, infrastructure, monetary cooperation, industry and mining, private sector and investment promotion.

Article 13. PROCEDURE FOR OPINION

1. The relevant Community institution or organ shall send their draft texts relating to matters on which the opinion of Parliament is required through the Commission, at least, fifteen (15) days before the beginning of its next Session.
2. The draft texts submitted within the above specified time shall be included in the agenda of the ordinary Session.
3. Parliament shall make its opinion known by resolution during this Session or during an extraordinary Session.
4. The Parliament shall send its opinion to the Commission not later than ninety (90) days from the date of receipt of the draft text.
5. Where Parliament fails to render an Opinion within the period stipulated above, the Parliament shall be deemed to have given an opinion

Article 14. PROCEDURE FOR MANDATORY ASSENT

1. The Community Institution or Organ empowered to make decisions in the areas listed in Article 12 of this Supplementary Act shall seek the Assent of Parliament.
2. The relevant Community Institution or Organ shall transmit their draft texts, relating to matters on which the assent of Parliament is required through the Commission, at least, fifteen (15) days before the beginning of its next Ordinary Session or at an Extraordinary Session.

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3. The draft texts submitted within the period stipulated above, shall be included in the agenda of the Session.
4. Parliament shall make its views known by Resolution during this Session or during an extraordinary Session.
5. Parliament may propose amendments to the text.
6. The Community institution or organ may return a proposal to Parliament through the Commission for a second reading.
7. The proposals for a second reading should be accompanied by fresh arguments explaining why the views of Parliament have not been taken into consideration.
8. When Parliament approves the proposal of the Community institution or organ following a second reading, the draft is said to have obtained the Assent of Parliament.
9. If after second reading Parliament maintains its position, the proposals are again returned to the Community Institution or Organ, which adopts the views of Parliament or draws up a new draft.

Article 15. RESOLUTION OF THE PARLIAMENT

In the application of its mandate, the Parliament adopts Resolutions.

Article 16. BUDGET OF PARLIAMENT

1. The Parliament shall have financial autonomy over the execution of its budget.
2. The budget of the Parliament, which is part of the Community Budget, shall be prepared and executed in accordance with the Financial Regulations and Manual of Accounting Procedures of the Community.

Article 17. PARLIAMENT'S BUDGETARY POWERS

1. Council shall adopt the Community Budget in line with the Treaty.
2. However, preceding the adoption by Council, Parliament shall consider the Community Budget in accordance with the following provisions:

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- a. After the consideration of the Budget by the Administration and Finance Committee (AFC) the report of the AFC on the Budget shall be presented to Parliament during the Parliamentary Budget session;
- b. The President transmits the Report and the Consolidated Community Budget not later than two (2) days after the AFC session;
- c. Parliament shall give its Opinion, including where necessary, proposals for amendment to the draft Community Budget in accordance with Article 11 of this Supplementary Act;
- d. The Opinion of Parliament and the Report of the AFC on the Budget shall be presented to Council;
- e. The calendar of Budget sessions of the AFC, Parliament and Council shall be as provided in a Council Regulation to facilitate a harmonious consideration of the Community Budget;
- f. Where Parliament fails to render an Opinion within the period stipulated in the Council Regulation referred to above, the Parliament shall be deemed to have given an opinion.

CHAPTER III

ELECTION, IMMUNITY & PARLIAMENTARY ALLOWANCE

Article 18. ELECTION, TERMS OF OFFICE AND VACANCIES

1.ELECTION

- a. Representatives shall be elected by direct universal suffrage by the citizens of Member States;
- b. The representation of each Member State shall reflect as much as possible, the political configuration in the State;
- c. Each Member State shall ensure at least 30% female representation in their Parliamentary delegation;



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- d. A citizen of a Member State who meets the following conditions shall be eligible to be elected as a Representative if:
 - i. He/she is a citizen of that Member State;
 - ii. He/she is eligible to be elected as a Member of the National Parliament of that Member State under its Constitution or electoral law;
- e. A Representative is eligible for re-election;
- f. Parliament shall verify the credentials of its members;
- g. Pending the time Representatives are directly elected by citizens of Member States, the National Assemblies of Member States or their equivalent institutions or organs shall elect such Representatives from amongst themselves;
- h. The President of the Commission and the Speaker shall be notified of the election of Representatives.

2. TERMS OF OFFICE

- a. A Representative shall be elected for a period of four (4) years from the date of the inauguration of the Parliament by the Chairman of Authority. Their mandate shall end on the last day of the legislature.
- b. However, a Representative who is not re-elected at the national level shall remain in office until a new Representative from his/her Member State takes up the position.

3. VACANCY

- a. The seat of a Representative becomes vacant in case of:
 - i. Death;
 - ii. Written resignation to the Speaker;
 - iii. Certified mental or physical incapacity to perform his/her duties;
 - iv. Resignation due to incompatibility;
 - v. Removal by Parliament due to disrepute or as provided for in the Rules of Procedure.
- b. Where the seat of a Representative becomes vacant, the Member State concerned using procedures provided under Article 18.1 of this Supplementary Act, shall forward a replacement for that seat.

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Article 19. INCOMPATIBILITY

1. The office of a Representative shall not be held concurrently with the following:
 - a. Members of government or Members of Court and Tribunals of Member State;
 - b. Judge, lawyers or registrar in the Community Court of Justice and the Community Court of Arbitration;
 - c. Member of any institution created in application of the 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;
 - d. All other civil and public servants in Member States.
2. An individual, to whom the provisions of this Article apply, shall within one month of election as Representative take necessary measures to separate himself/herself from the incompatible appointment. Failure to separate oneself from the incompatible appointment shall lead to a forfeiture of his/her election as Representative.

Article 20. IMMUNITY

In conformity with the ECOWAS General Convention on Privileges and Immunities of 1978:

- a. Representatives shall enjoy Parliamentary immunity in all the Member States of the Community. Therefore, no Representative shall be prosecuted, summoned, arrested, detained or sentenced on account of opinions expressed or vote cast by him in the exercise of his duty;
- b. While Parliament is in Session, and except in case of flagrante delicto, no Representative shall be prosecuted or arrested for criminal or penal action without clearance from the Parliament;
- c. While Parliament is on recess and except in a case of flagrante delicto, no Representative shall be arrested or prosecuted without clearance from the Bureau of the Parliament. Except in the case of a confirmed sentence, no Representative shall also be arrested without clearance from the Bureau of the Parliament



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- d. The Parliament may, through a two-thirds majority vote, request from the Competent Authority for the suspension of a detention order on a suit against a Representative;
- e. While Parliament is on recess, the Bureau may request for the suspension of a detention order on a suit against a Representative.

Article 21. WAIVER OF IMMUNITY

1. Any request for waiver of immunity of a Representative shall be sent to the Speaker of Parliament.
2. The Speaker shall then comply with the procedure laid down in the Rules of Procedure of Parliament.

Article 22. PARLIAMENTARY ALLOWANCE

Representatives shall be paid a parliamentary allowance, which shall be fixed by the Authority

Article 23. VOTING

1. Representatives shall vote personally and according to their conviction. They shall not be bound by any instructions or mandate. Any mandate bound by instruction shall be null and void.
2. The Rules of Procedure of Parliament shall exceptionally authorize the delegation of vote. No one shall be allowed to be proxy for more than one Representative.
3. The procedures for a vote by proxy shall be defined in the Rules of Procedure of Parliament.

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CHAPTER IV INSTITUTIONAL PROVISIONS

Article 24. THE SPEAKER

1. ELECTION OF THE SPEAKER

- a. The Speaker is elected for the life of the Legislature. However, at the expiration of the life of the Legislature, the outgoing Speaker loses his powers as the Delegated Authorizing Officer of the Parliament provided in Article 18 of the Financial Regulations and assumes the role of ceremonial Speaker. As ceremonial Speaker, the outgoing Speaker may be requested to participate in ceremonial activities until the election of a substantive Speaker;
- b. The position of Speaker shall be allocated to Member States by the Authority in line with an established rotational system based on an alphabetical order of States;
- c. All Representatives from the Member State to which the position has been allocated will be eligible to contest the position;
- d. The modalities for the election of the Speaker shall be as defined in Article (28.2i) of this Supplementary Act.

2. FUNCTIONS OF THE SPEAKER

The Speaker:

- a. Directs the business of the Parliament and its organs, preside over all proceedings of Plenary, Bureau and Conference of Committee Bureaux. In his absence, a Deputy Speaker in the order of their precedence takes over;
- b. Is the delegated Authorizing officer of the budget of the Parliament and he shall designate financial management in line with the Financial Regulations of the Community;
- c. Delegates the functions of the Authorizing Officer to the Secretary General of the Parliament;

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- d. Opens, suspends, or closes the sittings of Parliament;
- e. Determines in consultation with the Bureau and in accordance with the Rules of Procedure of Parliament, the admissibility or otherwise of papers brought to the Parliament;
- f. Follows up on the implementation of the decisions of the organs of Parliament;
- g. Represents Parliament in relations with other ECOWAS institutions and conducts the external relations of Parliament;
- h. Appoints in consultation with the Bureau, the Secretary General and Directors, in accordance with the provisions of the ECOWAS Staff Regulations governing the appointment of a senior management official of the Community after prior approval by the Management Succession Committee;
- i. Appoints in consultation with the Bureau, the Professional staff of Parliament in conformity with the ECOWAS Staff regulations;
- j. Appoints on the recommendation of the relevant advisory committee locally recruited personnel in conformity with the ECOWAS Staff Regulations;
- k. Ensures regular interactions between Parliament and National Parliaments of Member States;
- l. Performs any other duties incidental to these functions.

3. RESIDENCE OF THE SPEAKER

Pending the election of Representatives by citizens of Member States, the Speaker shall not be resident at the Seat of Parliament.

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Article 25. DECISION-MAKING BODIES AND ORGANS OF PARLIAMENT

The decision-making bodies and organs of the Parliament are:

- a. The Plenary;
- b. The Bureau of Parliament;
- c. The Conference of Committees' Bureaux;
- d. The Standing Committees of Parliament;
- e. Parliamentary Groups.

A. THE PLENARY

The Plenary shall be the highest body of the Parliament. Its decisions shall be binding on other structures of the Parliament and the Representatives. The Plenary shall however be guided by the provisions of the Treaty, this Supplementary Act, the Rules of Procedure of Parliament and all other legal texts of general application to Community Institutions.

B. THE BUREAU

1. Status

The Bureau shall be the governing organ of the Parliament. Its decisions shall be in conformity with the provisions of the Treaty, this Supplementary Act, the Rules of Procedure of Parliament and all other legal texts of general application to Community Institutions.

- a. The duration of the mandate of all Bureau Members shall be for the life of the Legislature, and their elections shall be conducted in accordance with the Rules of Parliament.
- b. The Speaker shall preside over the Bureau and in his absence the Deputy Speakers in their order of precedence.

2. Composition

The Bureau shall comprise the Speaker, first deputy Speakers, second Deputy Speaker, third Deputy Speaker and fourth Deputy Speaker.

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3. Functions

The Bureau shall have the following functions:

- a. Propose the preliminary draft agenda, and all draft programmes or business of the Sessions, to the Conference of Committee Bureaux, taking into account the approved Community programmes;
- b. Authorize meetings, hearings, fact-finding and study tours of Committees;
- c. Determine with the assistance of the Committee of Selection, the composition of the Standing Committees. In carrying out this assignment, due regard shall be given to linguistic, gender balance and nationality;
- d. Organize the Committees of Parliament in a manner that reflects the areas of competence covered by the ECOWAS Technical Committees established by the Treaty;
- e. Propose to Plenary a draft organogram of the Parliament;
- f. Subject to the provisions of the Treaty regarding the mandate of
of the Council, the Bureau shall:
 - i. Issue general guidelines and policy directions for the management and administration of the affairs and facilities of the Parliament and its organs;
 - ii. Determine the external relations of the Parliament;
 - iii. Regulate the procedures relating to the internal organization of the Parliament and its organs;
 - iv. Be responsible for prescribing guidelines for the annual budgets of Parliament in accordance with the Financial Regulations of the Community;
 - v. Consider the draft budget of Parliament and present it to the appropriate committee;
 - vi. Advise the Speaker on the appointment of the Secretary General and approve the appointment of professional staff on the recommendation of the relevant Advisory Committee on recruitment;

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- vii. Assume the authority of Parliament in emergency situations. The details of this mandate will be provided for in the Rules of Procedure of Parliament as "Emergency Powers of the Bureau";
- viii. Undertake any other function as may be prescribed by the Plenary and which are consistent with Article 7 of the present Supplementary Act.

C. THE CONFERENCE OF COMMITTEES' BUREAUX

- a. The Conference of Committees' Bureaux shall be composed of the Bureau, Chairmen and 1st Rapporteurs of the Standing Committees, and the Chairmen of Parliamentary groups.
- b. The Conference shall:
 - i Be the organ of Parliament that shall represent all Committees collectively;
 - ii Adopt the preliminary draft agenda of the Session proposed by the Bureau;
 - iii Shall consider the draft annual work plan of the Parliament
 - iv Shall organize the work-plans of the Standing Committees in accordance with the Rules of Procedure of Parliament and the terms of reference of the Committees;
- c. The Speaker shall convene and chair the Conference of Committees' Bureaux.

D. THE STANDING COMMITTEES OF PARLIAMENT

Parliament may in order to facilitate its work establish Standing Committees. The modalities of the organization and mandate of Standing Committees shall be as provided in the Rules of Procedure of Parliament.

E. PARLIAMENTARY GROUPS

- a. Representatives may form themselves into parliamentary groups according to their political leanings and affinities;



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- b. A Parliamentary group is comprised of Representatives from at least 5 Member States and as much as possible from as many Member States as possible;
- c. The modalities for the organization of Parliamentary groups shall be provided in the Rules of Procedure of Parliament.

Article 26. GENERAL SECRETARIAT

- 1. A General Secretariat of Parliament is hereby established.
- 2. The General Secretariat shall be responsible for providing administrative and technical support for the activities of the Parliament.
- 3. The Secretary-General shall be the head of the General Secretariat of the Parliament and shall be classified as a D2 officer. Directors and other staff of the Parliament shall assist the Secretary General in his/her work.
- 4. A Regulation adopted by Council shall govern the organization and functioning of the General Secretariat and shall determine the functions of the Secretary General.

Article 27. SESSIONS OF PARLIAMENT

1. ORDINARY SESSIONS

- a. Parliament shall meet twice a year in Ordinary Session. No Session during which the Parliament sits shall exceed a period of one (1) month. The Community Budget is considered during the Second Ordinary Session of Parliament.
- b. Sessions shall be convened by the Bureau, subject to the provisions of Article 24 of this Supplementary Act.
- c. The Rules of Procedure of Parliament shall govern the conduct of the Ordinary Sessions.

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2. EXTRAORDINARY SESSIONS

- a. Parliament may also meet in Extraordinary Session to discuss a specific agenda;
 - i. At the initiative of the current Chairman of the Authority;
 - ii. At the initiative of the Speaker;
 - iii. At the express request of Council and or the President of the Commission;
 - iv. At the express request in writing of an absolute majority of Members addressed to the Speaker.
- b. The duration of each Extraordinary Session shall not exceed seven (7) days.
- c. Parliament should endeavor to hold its Extraordinary Sessions in the respective Member States, either on the initiative of the Bureau or at the invitation of a Member State.
- d. The Rules of Procedure of Parliament shall govern the conduct of Extraordinary Sessions of Parliament.
- e. However, in case of emergencies the agenda of Extraordinary Sessions may be modified by the Plenary on a proposal from the Conference of Committees' Bureaux. Extraordinary Sessions shall end once the agenda is exhausted.

Article 28. CONVENING THE INAUGURAL SESSION OF PARLIAMENT

1. CONVOCATION

- a. The Chairman of Authority shall convene the first Session of a legislature.
- b. Three (3) months prior to the end of each legislature, the President of the Commission shall, request Member States to elect their ECOWAS Representative in accordance with Article 18 of this Supplementary Act. The Speaker shall inform the President of National Parliaments of the end of each legislature and of the need to commence the election of Representatives.



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- c. Until Representatives are directly elected in accordance with Article 18.1a, the National Parliaments of Member States shall elect Representatives. The names and particulars of the elected Representatives shall be communicated to the President of the Commission and the Speaker at least one (1) month before the end of the legislature.
- d. The President of the Commission shall, upon receiving the names of at least three quarters (3/4) of the Representatives forwarded by the Member States, inform the Chairman of Authority and the Speaker. The Parliament shall be convened within one (1) month of such notice.

2. THE INAUGURAL SESSION OF A NEW LEGISLATURE

- a. At the commencement of the inaugural Session, a Bureau of Age shall be established of the oldest and two youngest Representatives.
- b. The oldest Representative shall chair the first meeting of a new legislature of Parliament. The two youngest Representatives shall act as Secretaries.
- c. The Secretary General shall assist the Bureau of Age.
- d. The Chairman of the meeting shall instruct that a roll-call of the Representatives be taken.
- e. The Parliament shall proceed with the validation of the mandates of its Representatives.
- f. The Chairman of the meeting shall call on the Parliament to elect its Speaker.
- g. No further debate may take place under the chairmanship of the Bureau of Age.
- h. Nominations shall be announced in plenary Session and voting shall take place by secret ballot.

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- i. The Speaker of Parliament shall be elected by an absolute majority of Representatives voting at the first round of voting, or by simple majority at the following round at which only the two candidates who obtained the highest number of votes are presented. In the event of a tie, subsequent rounds of voting will continue until a winner emerges.
- j. The Chairman of the meeting shall thereafter call on the elected Representative to take his seat as the Speaker and preside over the deliberations.
- k. Parliament shall adopt its Rules of Procedure of Parliament by two-thirds majority.
- l. The Speaker shall initiate the election of other officers of the Bureau.

Article 29. AFFIRMATION

1. During the first sitting of the inaugural Session and before assuming their duty, a Representative shall affirm before the Chairman of Authority as follows:

"I declare on my honour that I will faithfully serve the interest of the peoples of the Community and that I will not submit to any direct or indirect pressure from any Member State or group".

2. During subsequent or future sittings, swearing-in of Members shall be done before the Speaker of Parliament.
3. This declaration, which shall be in writing and signed by every Representative, shall be recorded in the proceedings of the Parliament and may be referred to as and when necessary.

Article 30. REPRESENTATION OF THE ECOWAS COMMISSION AT MEETINGS OF PARLIAMENT

1. The President and the members of the Commission may have access to the Sessions and meetings of Parliament except where they are held in closed Session.

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2. The President can participate in Plenary Sessions, Bureau Meetings and Meetings of the Standing Committees.
3. If he is unable to attend, a Commissioner may represent him at Plenary Sessions. He may be represented by Commissioners or experts at Committee meetings.

Article 31. STRATEGIC PLAN OF THE PRESIDENT OF THE COMMISSION

During the Ordinary Session following his appointment, the President shall present the strategic plan of the Commission to the Parliament, in its plenary Session.

1. Presentation of the strategic plan shall be followed by debates and shall not be subject to any vote.
2. Parliament may issue opinions and/or recommendations on the strategic plan.

Article 32. REPORT ON THE IMPLEMENTATION OF THE COMMUNITY WORK PROGRAMME

At each ordinary session of Parliament, the President shall present a general report on the implementation of the Community Work Programme.

1. Parliament shall hold an annual debate on the reports submitted to it by the President. Their opinions and recommendations shall be transmitted to the Authority for its consideration.

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Article 33. QUESTIONS TO COUNCIL AND THE COMMISSION

A Representative may submit a written or oral question to Council or the Commission. He/She may also present topical questions. The modalities for the presentation of questions shall be as provided in the Rules of Procedure of Parliament.

Article 34. PUBLIC ATTENDANCE & PUBLICATION OF DEBATES

Debates in the Parliament shall be open to the public unless otherwise directed by the Speaker. A verbatim report of the proceedings shall be published in the official Journal of the Community. A summary report of the proceedings shall also be published in the National Gazette of each Member State.

Article 35. INTERPELLATIONS

When Parliament observes any form of dysfunction in the performance of the tasks assigned to the program implementing institutions of the Community with the exception of the Authority of Heads of State and Government, Council of Ministers and the Court of Justice in its judicial function, it may in the order listed below:

- a. Put the question to the affected Community Institution(s)
- b. Refer it to the Council.

Article 36. COMMITTEES OF INQUIRY

1. The Parliament may at the request of one quarter of the Representatives, constitute committees of inquiry. All other modalities relating to the functioning and composition of Committees of Inquiry shall be provided for in the Rules of Procedure of Parliament.
2. The Parliament may forward a Resolution on the findings of the Committee of Inquiry to the Council through the President.

Article 37. RIGHT OF PARLIAMENTARY INITIATIVE

The Parliament may by a majority of votes cast request the Council to submit proposals on matters on which it considers that action is required on the part of the Community for the purpose of implementing the Treaty



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Article 38. RELATIONS WITH THE AUTHORITY

The Chairman or any other Member of Authority may request to address the Parliament. The Parliament shall honour this request. His address shall not be followed by a debate.

Article 39. RELATIONS WITH OTHER INSTITUTIONS OF THE COMMUNITY

Parliament may hear the following Heads of Institutions either on its own initiative or upon their request:

- a. The Chairman of Council
- b. The President of the Commission
- c. Head of any institution or specialized agency of the Community.

Article 40. EXTERNAL RELATIONS AND PARLIAMENTARY DIPLOMACY

1. ECOWAS Parliament shall maintain parliamentary diplomacy with Parliaments of Member States, other Regional Parliaments, inter-parliamentary organizations, international organizations and third party States.
2. Parliament shall put in place an appropriate mechanism to maintain regular relations with Parliaments of Member States. Within this framework, Parliament may in consultation with the Council and Commission propose model or uniform laws in line with the goals and procedures of the Community.
3. The Speaker in consultation with the Bureau may invite important personalities of States, International Organizations, Non-Governmental Organizations and civil society to make statements or presentation before the plenary or Committees.
4. When the application to intervene relates to personalities in paragraph 3 above, approval is within the competence of the Bureau.
5. The statements are not followed by debates.
6. Presentations are followed by debates on the approval of the Bureau. The Rules of Procedure of Parliament shall provide for the procedure for the organization of the debates.

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7. The Rules of Procedure of Parliament shall provide for institutionalized relations with National Parliaments.

CHAPTER V SPECIAL PROVISIONS

Article 41. CONFLICT RESOLUTION AND ELECTION MONITORING

1. The Parliament may participate upon invitation in meetings of the Mediation and Security Council at the Ministerial and Ambassadorial levels.
2. In exceptional circumstances and in conformity with Community objectives, the Parliament may by Resolution request the President to activate the mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security.
3. The President of the Commission shall ensure the inclusion of Parliament in all the stages of election monitoring in Member States.
4. The Speaker in consultation with the Bureau and the Chairmen of Political groups shall determine the Representative that will represent the Parliament. The Rules of Procedure of Parliament shall provide all other details relating to the participation of Parliament.

Article 42. RULES OF PROCEDURE OF PARLIAMENT

1. Parliament shall adopt its Rules of Procedure, which shall be in conformity with this Supplementary Act and all other relevant legal texts of general application to Community Institutions.
2. The Rules of Procedure shall determine all procedural matters not provided for in this Supplementary Act.

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CHAPTER VI FINAL PROVISIONS

Article 43. OFFICIAL & WORKING LANGUAGES

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

Article 44. AMENDMENT AND REVISION

1. Any Member State, the Council, the Parliament and the Commission may submit proposals for the amendment or revision of this Supplementary Act.
2. Proposals not emanating from the Commission shall be submitted to it. The Commission shall forward all proposals for amendment and revision to the Member States not later than thirty (30) days after receipt. Amendments or revisions shall not be considered by the Authority unless Member States have been given three (3) months' notice thereof.
3. The amendments and revisions shall be adopted by the Authority in accordance with the provisions of Article 10 of the Treaty. The adopted amendments and revisions shall enter into force upon their signature and publication in the Official Journal of the Community.

Article 45. ENTRY INTO FORCE

1. This Supplementary Act shall enter into force upon its signature. Consequently, Member States and Institutions of ECOWAS undertake to commence the implementation of its provisions on its entry into force.
2. This Supplementary Act is annexed to the ECOWAS Treaty of which it is an integral part.

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Article 46. PUBLICATION

1. This Supplementary Act shall be published by the Commission in the Official Journal of the Community within thirty (30) days of its signature by the Authority.
2. It shall also be published by each Member State in its National Gazette within thirty (30) days after notification by the Commission.

Article 47. REPEAL

Protocol A/P2/8/94 relating to the Community Parliament and Supplementary Protocol A/SP.3/06/06 amending Protocol A/P2/8/94 relating to the Community Parliament are hereby repealed.

Article 48. DEPOSITORY AUTHORITY

This Supplementary Act shall be deposited with the Commission, which shall transmit certified true copies thereof to all Member States and shall register it with the African Union, the United Nations and such other Organizations as Council may determine.

IN FAITH WHEREOF,

WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC
COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HAVE SIGNED
THIS SUPPLEMENTARY ACT.

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

DONE AT ABUJA, THIS 17TH DAY OF DECEMBER 2016

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H. E. Aurélien A. AGBENONCI
Minister of Foreign Affairs and Cooperation
For and on behalf of President of the Republic of Benin

H. E. Alpha BARRY
Minister of Foreign Affairs, Cooperation and
Burkinabe abroad
For and on behalf of the President of Faso

S.E. M. Cesar MONTEIRO
Ambassador of Cabo Verde in Senegal
For and on behalf of the President of the
Republic of Cabo Verde

Hon. Bala GARBA-JAHUMPA
Minister of Works, Construction and Infrastructure
For and on behalf of the President of the
Republic of The Gambia

H.E. Alpha CONDE
President of the Republic of Guinea

H. E. Ellen JOHNSON-SIRLEAF
President of the Republic of Liberia

H.E. Mahamadou ISSOUFOU
President of the Republic of Niger

H. E. Macky SALL
President of the Republic of Senegal

H.E. John Dramani MAHAMA
President of the Republic of Ghana

S. E. M. José Mario VAZ
President of the Republic of Guinea Bissau

S. E.M. Ibrahim Boubacar KEITA
President of the Republic of Mali

H. E. Muhammadu BUHARI, GCFR
President, Commander-in-Chief
of the Armed Forces of the Federal Republic
of Nigeria,

H. E. Ernest Bai KOROMA
President of the Republic of Sierra Leone

H. E. Faure Essozimna GNASSINGBE
President of the Togolese Republic