



FORTY FIFTH ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Accra, 10 – 11 July 2014

SUPPLEMENTARY ACT A/SA.2/07/14 AMENDING PARAGRAPH 9 OF ARTICLE 1 OF PROTOCOL A/SP.1/7/85 ON THE CODE OF CONDUCT FOR THE IMPLEMENTATION OF THE PROTOCOL ON THE FREE MOVEMENT OF PERSONS, RIGHT OF RESIDENCE AND ESTABLISHMENT

THE HIGH CONTRACTING PARTIES

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

MINDFUL of Article 3 of the said Treaty particularly paragraph 2 (a) (iii) which mandates Member States to ensure the removal of all obstacles to the Free Movement of persons, goods, services and capital, and to the right of residence and establishment;

MINDFUL of Protocol A/SP2/7/85 on the Code of Conduct for the implementation of the Protocol on the Free Movement of persons, right of Residence and Establishment;

CONSIDERING that the objective of the Protocol on Free Movement is to ensure the attainment of a borderless region which is integral in the facilitation of regional integration and establishment of a common market;

NOTING that in actualizing the ECOWAS vision 2020 from an ECOWAS of States to an ECOWAS of People the granting of right of residence to nationals of Member States is essential;



CONVINCED of the need to ensure that a citizen who is a national of one Member State and resides in a Member State other than his state of origin is granted equality of rights with the citizen of the Member State where he resides.

DESIRIOUS of reviewing the provisions on the right of residence to be in tandem with the objectives of creating a borderless space within the region and the ECOWAS Vision 2020;

ON THE RECOMMENDATION of the Seventy Second Ordinary Session of the Council of Ministers which was held from 19th to 20th June 2014 in Accra (Republic of Ghana);

AGREE AS FOLLOWS:

**ARTICLE 1: AMENDMENT OF PARAGRAPH 9 OF ARTICLE 1
ON DEFINITIONS**

The provisions of paragraph 9 of Article 1 on Definition of 'Right of Residence' in the Supplementary Protocol A/SP1/7/85 on the Code of Conduct for the implementation of the Protocol on Free Movement of Persons, Right of Residence and Establishment shall be amended as follows:

New Paragraph 9 of article 1

"Right of residence" The right granted to a citizen who is a national of one Member State to reside in a Member State other than his State of origin.

ARTICLE 3: Abrogation of Paragraph 2 of Article 3

The provisions of Paragraph 2 of Article 3 of Protocol A/P1/5/79 are hereby repealed.



ARTICLE 2: IMPLEMENTATION

1. In order to ensure the effective implementation of this Supplementary Act, the ECOWAS Commission shall set up a Monitoring and Evaluation Committee which shall monitor and evaluate on the implementation of this Supplementary Act, particularly in relation to security related issues.
2. An Enabling Regulation shall define the composition and the operation of the monitoring and evaluation committee provided for in Paragraph 1 of this Article.

ARTICLE 3: ENTRY INTO FORCE

1. This Supplementary Act shall enter into force upon signature. Consequently the signatory Member States and ECOWAS Institutions undertake to start implementing its provisions upon its entry into force.
2. This Supplementary Act shall be attached as an Annex to the ECOWAS Treaty of which it is an integral part.

ARTICLE 4: PUBLICATION

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

ARTICLE 5: DEPOSITORY AUTHORITY

This Supplementary Act shall be deposited with the Commission, which shall transmit certified copies thereof to all the Member States and shall ensure its registration with the African Union, the United Nations Organization and any other organization designated by the Council.

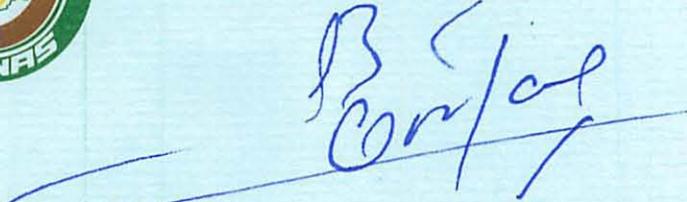
**IN FAITH WHEREOF WE, THE HEADS OF STATE AND GOVERNMENT OF
THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED
THIS SUPPLEMENTARY ACT.**

DONE AT ACCRA THIS 11TH DAY OF JULY 2014

**IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND PORTUGUESE
LANGUAGES, ALL THREE (3) TEXTS BEING EQUALLY AUTHENTIC.**

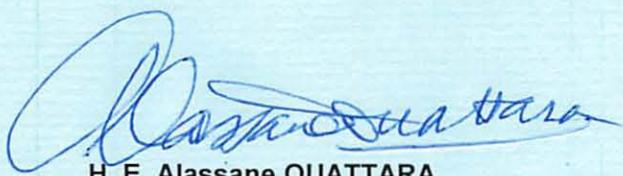


H. E. Thomas Boni YAYI
President of the Republic of Benin

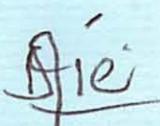


H. E. Blaise COMPAORE
President of Burkina Faso

H.E. Cesar MONTEIRO
Ambassador of the Republic of Cabo Verde
to Senegal, For and on behalf of the Prime Minister
of the Republic of Cabo Verde



H. E. Alassane OUATTARA
President of the Republic
of Côte d'Ivoire



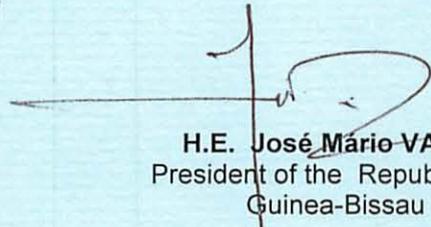
H. E. Issaitou NJIE
Vice-President of the Republic of the Gambia,
For and on behalf of the President
of the Republic of the Gambia



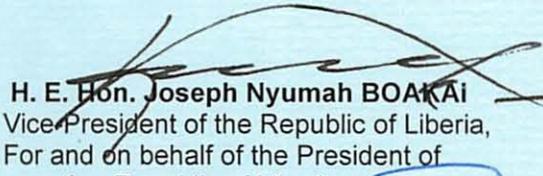
H. E. John Dramani MAHAMA
President of the Republic of Ghana
Chairman of the Authority of Heads
of State and Government



H. E. Louncy FALL
Senior Minister, Minister of Foreign Affairs
and Guineans in the Diaspora,
For and on behalf of the President of
the Republic of Guinea



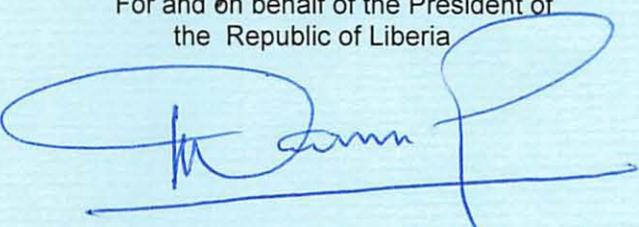
H.E. José Mário VAZ
President of the Republic of
Guinea-Bissau



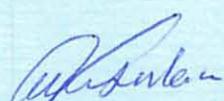
H. E. Hon. Joseph Nyumah BOAKAI
Vice-President of the Republic of Liberia,
For and on behalf of the President of
the Republic of Liberia



H. E. Ibrahim Boubacar KEITA
President of the Republic of Mali



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



H. E. Goodluck Ebele JONATHAN, GCFR
President, Commander-in-Chief
of the Armed Forces of the Federal
Republic of Nigeria



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

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

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