



**TWENTY-NINTH SESSION OF THE AUTHORITY OF
HEADS OF STATE AND GOVERNMENT**

NIAMEY, 12 JANUARY 2006

**DECISION A/DEC. 18 /01/06 ADOPTING THE ARTICLES OF
AGREEMENT RELATING TO THE ESTABLISHMENT AND
FUNCTIONING OF THE WEST AFRICAN POWER POOL**

The Authority of Heads of State and Government

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

MINDFUL of Article 28 of the ECOWAS Treaty, relating to Energy;

MINDFUL of Decision A/DEC.3/5/82, relating to the ECOWAS energy policy;

MINDFUL of Decision A/DEC.5/12/99 establishing the Regional Electricity Market called the "West African Power Pool (WAPP)", designed to promote regional investments for power production and the interconnection of networks, piloted by a coordination structure comprising Ministers in charge of Energy and the Committee of Directors General of the National Power Utilities of Member States;

RECALLING Article 31 of the protocol on Energy, which provides that the meeting of Ministers in charge of Energy shall set up the regional regulatory bodies, programmes and projects within the context of implementing the said protocol;

CONSIDERING Decision A/DEC.6/1/05 relating to the creation of a regional regulatory framework of the ECOWAS energy sector as a prelude to the establishment of a regional regulatory organ that should address the problems relating to the development of power trading between the Member States and accelerate sectoral reforms, thereby contributing to the development of common standards and the dissemination of "good practices" among all the stakeholders;

NOTING that ECOWAS Energy Ministers, at their meeting in Accra on 28 October 2005, decided sequel to Decision A/DEC.7/01/05 relating to the ECOWAS Revised Master Plan for power production and distribution, that the priority projects of the West African Power Pool (WAPP) project shall be implemented systematically;

NOTING however, that the structural and functional framework of the said organ was not defined, and that consequently, the Directors General of the member Power Utilities of the WAPP adopted the Agreement stipulating the organisation and the operation of the said structure, which was endorsed by the ECOWAS Energy Ministers;



- 2 -

CONSIDERING that the objective of the Agreement is to institute the management structures of the WAPP, organise them and define their modalities of operation in order to establish a cooperation mechanism between the contracting parties with a view to ensuring efficient power supply to the Member States and facilitating access of their citizens to power and mobilising resources from donors;

DESIRING to approve the Agreement;

UPON THE RECOMMENDATION of the Fifty-fifth (55th) session of the Council of Ministers, held in Niamey from 7 to 8 and 11 January 2006;

DECIDES

Article 1: The Articles of Agreement relating to the establishment and functioning of the West African Power Pool system is hereby adopted.

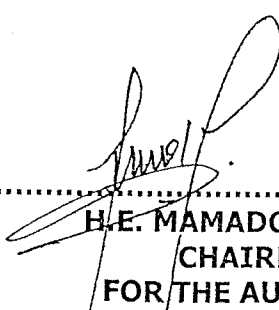
Article 2: The national Power Utilities of ECOWAS Member States are hereby authorised to sign the said Agreement.

Article 3: The Executive Secretariat shall, in collaboration with the Secretary-General of WAPP, take all necessary measures to ensure the accomplishment of the task aforesaid in Article 2 above. The Executive Secretariat shall further be charged with the monitoring and the implementation of the activities of the WAPP.

Article 4: The ECOWAS Energy Observatory in Cotonou under the authority of the General, is henceforth transformed to the WAPP Information and Coordination Centre in accordance with article 8 of the Articles of Agreement. This present article nullifies and replaces all previous and contrary provisions

Article 5: This Decision shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Authority. It shall also be published by each Member State in its Official Gazette within the same time frame.

**DONE AT NIAMEY
THIS 12th DAY OF JANUARY 2006**


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**H.E. MAMADOU TANDJA
CHAIRMAN
FOR THE AUTHORITY**