

**SUPPLEMENTARY ACT A/SA.1/01/08  
ALLOCATING THREE (3) POSTS OF JUDGE OF  
THE COMMUNITY COURT OF JUSTICE TO  
MEMBER STATES**

**THE HIGH CONTRACTING PARTIES,**

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

MINDFUL of Articles 6 and 15 of the said ECOWAS Treaty establishing the Community Court of Justice as an institution of the Community;

MINDFUL of Protocol A/P1/7/91 defining the status, composition, powers, procedures and other issues concerning the Community Court of Justice;

MINDFUL of Article 3 of the said Protocol relating to the composition of the Court and the appointment of judges;

MINDFUL of Article 4(1) of the Court's Protocol defining, among other things, the tenure of the judges, its renewal on the basis of eligibility for another period of five (5) years;

MINDFUL of Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice and which provides for a non-renewable four (4) year tenure for Judges of the Court;

MINDFUL of Decision A/DEC. 4/12/03 renewing the tenure of three (3) judges of the Community Court of Justice;

MINDFUL of Decision A/DEC. 02/06/06 establishing a Community Judicial Council;

CONSIDERING that the second tenure of three (3) judges of the Community Court of Justice expires on 29 January 2009;

RECALLING that the judges are now appointed on a competitive basis under the management of the Community Judicial Council, which, after interviewing candidates from countries to which the posts have been allocated, makes recommendations to the Authority of Heads of State and Government to appoint the judges;

CONSIDERING the need to commence henceforth, the procedure for appointing judges to replace the three (3) judges whose tenures expire on 29 January 2009, in order to avoid a vacuum and to ensure continuity in the functioning of the Community Court of Justice with all its judges;

WISHING, in this context, to allocate three (3) posts of judge of the Community Court of Justice to Member States;

**AGREE AS FOLLOWS:**

**Article 1**

A post of judge of the Community Court of Justice is hereby allocated to each of the following Member States:

- Republic of Benin
- Republic of Cape Verde
- Republic of Cote d'Ivoire

**Article 2**

The post of judge is allocated to each of the Member States referred to in Article 1 of this Supplementary Act for a non-renewable period of four (4) years with effect from the date of assumption of duty of each person appointed to this post.

**Article 3**

The judges that will fill the three posts of judge as allocated to the Member States referred to in Article 1 shall be selected from among candidates of these States and appointed in accordance with the procedures set out by the Decision establishing the Community Judicial Council and by the Rules of Procedure of the said Council.

**Article 4**

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

**Article 5**

1. This Supplementary Act shall enter into force upon publication. Consequently, signatory

Member States and the ECOWAS Institutions undertake to start the implementation of its provisions upon its entry into force.

2. This Supplementary Act shall be annexed to the ECOWAS Treaty of which it shall form an integral part.

#### Article 6

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

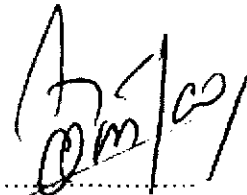
**IN FAITH WHEREOF, WE, THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES, HAVE SIGNED THIS SUPPLEMENTARY ACT.**

**DONE AT OUAGADOUGOU, THIS 18<sup>TH</sup> DAY OF JANUARY, 2008**

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



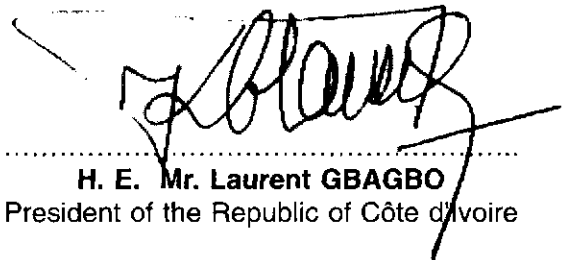
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**H. E. Mr. Pascal I. KOUPAKI**  
 Minister in charge of Development  
 and Research for and on behalf of the  
 President of the Republic of **BENIN**



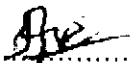
.....  
**H.E. Mr. Blaise COMPAORE**  
 President of **FASO**, Chairman of  
 Council of Ministers



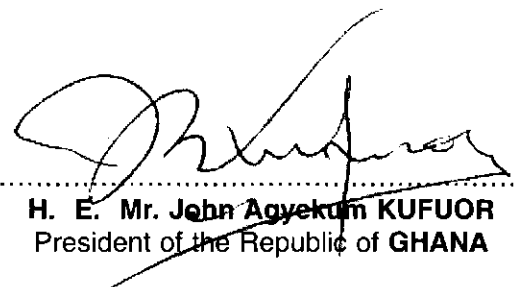
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**H. E. Mr. Jose BRITO**  
 Minister of Economic Growth and  
 Competitiveness of the Republic  
 of Cape Verde for and on behalf  
 of the Republic of **CAPE VERDE**



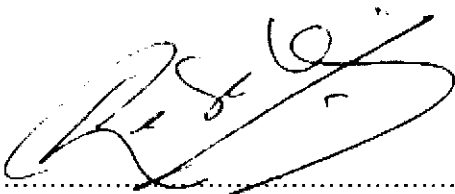
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**H. E. Mr. Laurent GBAGBO**  
 President of the Republic of Côte d'Ivoire



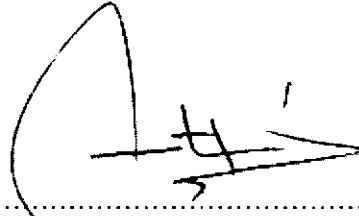
.....  
**H. E. Mme Aja Isatou NJIE-SAIDY**  
 Vice President of the Republic of the  
 The Gambia for and on behalf of  
 the President of the Republic of  
**THE GAMBIA**



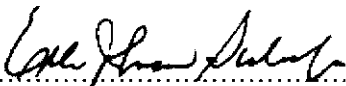
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**H. E. Mr. John Agyekum KUFUOR**  
 President of the Republic of **GHANA**



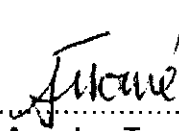
**H. E. Me Abdoul Kabèlè CAMARA**  
Minister of Foreign Affairs, Cooperation,  
Integration in Africa and Guineans in the  
Diaspora for and on behalf of the President  
of the Republic of **GUINEA**



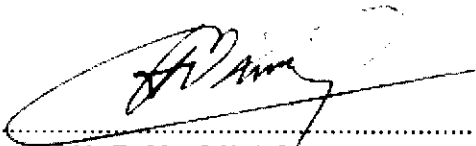
**H.E. Mr. Martinho DAFA KABI**  
Prime Minister of the Republic  
of **GUINEA BISSAU**



**H. E. Mme Ellen JOHNSON-SIRLEAF**  
President of the Republic of **LIBERIA**



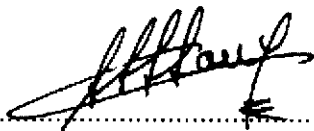
**H. E. Mr. Amadou Toumani TOURE**  
President of the Republic of **MALI**



**H. E. Mr. Séini OUMAROU**  
Prime Minister of the Republic of Niger  
for and on behalf of the President  
of the Republic of **NIGER**




**H. E. Dr. Goodluck Ebele JONATHAN**  
Vice President of the Federal Republic  
of Nigeria for and on behalf of the  
President and Commander-in-Chief  
of the Armed Forces of the Federal  
Republic of **NIGERIA**



**H. E. Mr. Abdou Aziz SOW**  
Presidential Adviser in charge of NEPAD  
for and on behalf of the President of the  
Republic of **SENEGAL**



**H. E Mr. Ernest Bai KOROMA**  
President of the Republic of  
**SIERRA LEONE**



**E. Mr. Komla MALY**  
Prime Minister of the Republic of Togo  
for and on behalf of the President of  
the **TOGOLESE** Republic