



ECONOMIC COMMUNITY OF WEST AFRICAN STATES

TWENTY-FIRST ORDINARY SESSION OF THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT

Abuja, 30-31 October, 1998

DECLARATION OF A MORATORIUM ON IMPORTATION, EXPORTATION AND MANUFACTURE OF LIGHT WEAPONS IN WEST AFRICA



**WE, THE HEADS OF STATE AND GOVERNMENT OF
THE ECONOMIC COMMUNITY OF WEST AFRICAN
STATES (ECOWAS);**

CONSIDERING the principles and objectives embodied in the revised ECOWAS Treaty, the Charter of the Organisation of African Unity, and the United Nations Charter;

CONSIDERING the fact that the proliferation of light weapons constitutes a destabilising factor for ECOWAS Member States and a threat to the peace and security of our people;

CONSIDERING the resolutions of the United Nations conference on conflict prevention, disarmament and development held in Bamako in November 1996;

CONSIDERING the directives of the fourth extraordinary session of the ECOWAS Authority of Heads of State and Government which took place in Lomé, on 17 December 1997, relating to the establishment of a sub-regional mechanism for conflict prevention, management, resolution, peacekeeping and security;

CONSIDERING the recommendations of the meeting of ECOWAS Ministers of Foreign Affairs, Defence, Internal Affairs and Security held in Yamoussoukro on 11 and 12 March 1998;

CONSIDERING the reaffirmation of the commitment made by the ECOWAS Member States at the Oslo Conference held on 1 and 2 April 1998, and the declared support of the international community for the proposal to place a moratorium on light weapons in West Africa;



CONSIDERING the repeated encouragement of the United Nations for disarmament in West Africa as stipulated in the relevant Resolutions of the 50th, 51st and 52nd Sessions of the General Assembly;

CONSIDERING the outcomes of the meetings of Ministers of Defence, Internal Affairs and Security and of Ministers of Foreign Affairs held in Banjul on 23 and 24 July 1998, and in Abuja on 26 to 29 October 1998 respectively, endorsed by us in Abuja on 31 October, 1998;

CONSIDERING the unqualified approval demonstrated by Member States of the Wassenaar Arrangement and other arms manufacturers for a Moratorium on Light Weapons in West Africa;

HEREBY SOLEMNLY DECLARE A MORATORIUM ON THE IMPORTATION, EXPORTATION AND MANUFACTURE OF LIGHT WEAPONS IN ECOWAS MEMBER STATES WHICH SHALL TAKE EFFECT FROM THE FIRST DAY OF NOVEMBER 1998 FOR A RENEWABLE PERIOD OF THREE (3) YEARS.

DIRECT the ECOWAS Executive Secretariat, in collaboration with the United Nations system to convene a meeting of Ministers of Foreign Affairs and of experts to launch the operational framework for the associated measures of the moratorium under the Programme for Coordination and Assistance for Security and Development (PCASED).

SEEKING TO ENSURE the success of the Moratorium;

HEREBY SOLICIT the assistance of the Organisation of African Unity, the United Nations and the international community in implementing the Programme for the Coordination and Assistance for Security and Development (PCASED).



DIRECT the Executive Secretariat, in collaboration with PCASED, to convene a meeting of Ministers of Foreign Affairs to assess and evaluate the moratorium at the end of the initial three-year period.

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

DONE AT ABUJA, THIS 31ST DAY OF OCTOBER 1998, IN SINGLE ORIGINAL IN THE ENGLISH AND FRENCH LANGUAGES BOTH TEXTS BEING EQUALLY AUTHENTIC.

.....
H.E. Mathieu KEREKOU
President of the Republic
of BENIN

.....
Hon. Ablasse OUEDRAOGO
Minister of Foreign Affairs
for and on behalf of the
President of FASO

.....
**Hon. Carlos Alberto Wahanon de
Carvalho VEIGA**
Prime Minister of the Republic
of CABO VERDE

.....
H.E. Henri Konan BEDIE
President of the Republic of
COTE D'IVOIRE



H.E. Col. Yahya A.J.J. JAMMEH
President of the Republic
of the GAMBIA

H.E. (Rtd) Flt.-Lt Jerry John
RAWLINGS
President of the Republic
of the GHANA

H.E. General Lansana CONTE
President of the Republic
of GUINEA

H.E. Joao Bernardo VIEIRA
President of the Republic
of GUINEA-BISSAU

H.E. Charles TAYLOR
President of the Republic
of LIBERIA

H.E. Alpha Oumar KONARE
President of the Republic
of MALI

S.E. Mohamed A. Ould MOÏNE
Ambassador,
for and on behalf of the President
of the Islamic Republic
of MAURITANIA

H.E. Ibrahim Maïnassara BARE
President of the Republic
of NIGER



.....
**H.E. General Abdulsalami
ABUBAKAR**
Head of State,
Commander-in-Chief of the
Armed Forces of the Federal
Republic of NIGERIA

.....
H.E. Abdou DIOUF
President of the Republic
of SENEGAL

.....
H.E. Alhaji Ahmad Tejan KABBAH
President of the Republic
of SIERRA LEONE

.....
H.E. Gnassingbe EYADEMA
President of the TOGOLESE
Republic

CODE OF CONDUCT

For the Implementation of the Moratorium on the Importation,
Exportation and Manufacture of Light Weapons in West Africa.

**We, the Heads of State and Government of the Economic Community of
West African States (ECOWAS);**

REAFFIRMING our Declaration of 31 October 1998 of a Moratorium on
the importation, exportation and manufacture of light weapons for a period of
three years renewable, effective from 1 November 1998;

RECALLING AHG/DEC.137 (XXXV) on the proliferation, illegal circulation
and traffic of light weapons adopted by the 35th Ordinary Session of the OAU
Conference of Heads of State and Government held in Algiers, Algeria in July
1999.

AWARE of the compelling need to encourage and promote actions to
support the effective application of the Moratorium;

CONVINCED that observance of the Moratorium can best be achieved
through transparency and concerted effort, and that the establishment of a Code
of Conduct is required for this purpose;

Have hereby agreed as follows:

Article 1 Binding nature of the Code of Conduct

The ECOWAS Member States shall abide by this Code of Conduct so as to
implement the Moratorium signed in Abuja, Nigeria on 31 October 1998.

Article 2 Scope of Moratorium

The Moratorium shall apply to the import, export and manufacture of light
weapons as defined in the Annex I to this Code of Conduct.

Article 3 Ammunition and components

Import, export and manufacture of components and ammunition for the light
weapons defined in Annex I shall also be subject to strict control in accordance
with the spirit of the Moratorium. References to weapons or arms in this Code of
Conduct shall be deemed to include ammunition and components.

INSTITUTIONAL ARRANGEMENTS

Article 4 Member States

In order to promote and ensure co-ordination of concrete measures for effective implementation of the Moratorium at national level, Member States shall establish National Commissions, made up of representatives of the relevant authorities and civil society. The ECOWAS Executive Secretariat, in collaboration with the Programme for Co-ordination and assistance (PCASED), shall prepare guidelines to assist Member States in the establishment of their National Commissions.

Article 5 ECOWAS Executive Secretary

1. Structures, staff, and procedures shall be established within ECOWAS Secretariat, in order to:
 - a) Assist Member States' implementation of the Moratorium
 - b) Monitor compliance
 - c) Report progress to the Authority of ECOWAS Heads of State and Government at regular intervals.
2. Such structures and procedures may include:
 - (i) The initial establishment of four Zonal Observation Bureaux
 - (ii) Missions to Member States to ascertain that existing national arms production is brought to a halt, in conformity with the spirit of the Moratorium
 - (iii) Obtaining external funding and technical assistance to support Moratorium-related activities.

ADMINISTRATIVE MECHANISMS

Article 6 Information exchange

In order to increase transparency, Member States shall provide the ECOWAS Executive Secretariat an annual report on the ordering or procurement of weapons, components and ammunition covered by the Moratorium, both from national and international sources. The ECOWAS Secretariat with the assistance of PCASED shall develop an arms register as a confidence building measure, with intention of developing an electronic database of all legitimate stocks of weapons, ammunition and components covered by the Moratorium. Member States shall provide all necessary information to the arms register and database. The Executive Secretary shall include all this information in his annual report to the Heads of State and Government.

Article 7 Harmonisation of legislation and administrative measures

Member States shall harmonise and adopt the regulatory and administrative measures necessary for exercising control of cross-border transactions with regard to light weapons, components and ammunition relating to them. They shall train the law and order, immigration, licensing, customs, water resources and forestry officials required to put such regulatory and administrative measures into effect. The ECOWAS Secretariat will provide the necessary assistance that Member States may require for this purpose. The ECOWAS Secretariat shall in this regard, request appropriate assistance of PCASED.

Article 8 Peace operations weapons register

At the beginning of international peace operations within and without the ECOWAS zone, all dedicated light weapons and ammunition shall be declared to the ECOWAS Secretariat so as to enable their effective control as well as removal upon completion of the operation.

Article 9 Exemptions

1. Member States may seek an exemption from the Moratorium in order to meet legitimate national security needs or international peace operations requirements. Such requests for exemptions shall be forwarded to the Executive Secretariat which shall assess them against criteria developed with the technical assistance of PCASED.
2. The Executive Secretariat shall circulate the request to Member States. Provided there are no objections, the Executive Secretariat shall issue a certificate confirming Member States' assent. The document shall accompany the export licence application, together with other documentation on end-use as required by arms-exporting states. Should a Member State

object the request for exemption shall be referred to the ECOWAS Mediation and Security Council.

3. Exemptions may be granted to permit individual ownership of a single weapon in categories 1,2, and 3A of Annex 1 for hunting or sporting purposes. Applications for such exemptions shall be processed by National Commissions and *recommended* to the ECOWAS Executive Secretariat for approval. The Executive Secretariat, with the technical support of PCASED shall develop and issue guidelines to National Commissions on the exemptions procedure.

Article 10 Visitor Certificates

Member States shall introduce arrangements requiring visitors to apply in advance if they wish to bring arms covered by the Moratorium into any ECOWAS territory, and to declare such arms on entry. If entry is approved, the competent authorities shall issue visitors with an entry certificate on arrival, and an exit certificate on departure. A register shall be kept of all such certificates.

OPERATIONAL ASPECTS

Article 11 Intra-and inter-state Co-operation

The ECOWAS Executive Secretariat and PCASED and in partnership with National Commissions, shall develop procedures for inter-state co-operation between customs, law and order, and all other relevant officials involved in monitoring and implementing the Moratorium; and shall submit them for approval by Member States. The Executive Secretariat shall also with the assistance of PCASED and in collaboration with Member States, develop guidelines for intra-state co-operation between these officials. The Executive Secretariat shall facilitate and obtain assistance for the training of officials in intra- and inter-state co-operation.

Article 12 Enhancing border controls

The Executive Secretariat, in conjunction with Member States and with the assistance of PCASED, will develop more effective border control mechanisms, including improved equipment, and training and co-operation of customs and other border officials.

Article 13 Collection and Destruction of Surplus Weapons

Member States shall in collaboration with the Executive Secretariat, PCASED and other relevant international organisations, carry out a systematic collection, registration and destruction of all weapons, ammunition and components covered by the Moratorium that are surplus to national security requirements, were under illegal possession or collection in the context of peace accords or upon completion of international peace operations.

PROMOTION AND EXPANSION

Article 14 Public relations and outreach

The Executive Secretariat shall, in collaboration with Member States, and PCASED develop and implement an Information Strategy in support of the Moratorium, incorporating and building on the activities already underway. The strategy will enhance understanding of and support for the Moratorium within the ECOWAS region, throughout Africa, and among international organisations and potential external funding partners.

Article 15 Resource mobilisation

The Executive Secretariat, in partnership with PCASED, shall develop and implement a Resource Mobilisation Strategy, in order to secure long term financial support for the Moratorium, and to enhance transparency and good financial management of resources.

Article 16 Dialogue with suppliers and producers

The Executive Secretariat and individual Member States shall engage in dialogue with national and international arms producers and suppliers as well as relevant international organisations, in order to secure their support for and adherence to the spirit and the letter of the Moratorium. PCASED shall assist in this effort.

Article 17 Expansion of Moratorium

Participation in the Moratorium regime may be extended to other interested African States. The ECOWAS Executive Secretariat shall take all necessary measures to encourage other OAU Member States to adopt the Moratorium and shall work with the United Nations Regional Centre for Peace and Disarmament in Africa to facilitate this.

**IN FAITH WHEREOF WE THE HEADS OF STATE AND
GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST**

AFRICAN STATES HAVE SIGNED THIS CODE OF CONDUCT IN TWO ORIGINALS IN ENGLISH AND FRENCH BOTH TEXTS BEING EQUALLY AUTHENTIC.

Done at Lome, this 10th day of December, 1999