



**FORTY THIRD ORDINARY SESSION OF THE AUTHORITY OF
HEADS OF STATE AND GOVERNMENT**

Abuja, 17 – 18 July 2013

**DECISION A/DEC.5/07/13 ALLOCATING THREE (3) POSITIONS
OF JUDGE AND RE-ALLOCATING ONE POSITION OF JUDGE OF
THE COMMUNITY COURT OF JUSTICE TO MEMBER STATES**

THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

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 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 Supplementary Protocol A/SP.2/06/06 amending Articles 3, 4 and 7 of the Protocol relating to the Community Court of Justice on the subject of membership, tenure and appointment of Judges of the Court;

RECALLING that the judges are now appointed on a competitive basis under the supervision 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 through the Council of Ministers to appoint the judges;



CONSIDERING that the tenure of three (3) judges of the Community Court of Justice expired on 10th February 2013;

RECALLING that because of the non allocation of the positions of the three (3) to Member States, and in accordance with the relevant Protocols the Judges remain in Office pending the assumption of office of their successors;

RECALLING Decision A/DEC.2/02/12 allocating four (4) positions of Judges of the Community Court of Justice to the Republics of Ghana, Guinea, Guinea Bissau and Senegal on the 17th February 2012;

DESIROUS, of allocating the three (3) posts of judge of the Community Court of Justice to Member States;

ALSO DESIROUS of re-allocating the Judge position allocated to Ghana to Burkina Faso in order to achieve a balance in the overall allocation of statutory positions within Community Institutions;

AFTER DUE CONSIDERATION by the Authority of Heads of State and Government at its 43rd Session held in Abuja on the 17th and 18th July 2013 of allocation proposals of certain statutory positions into Community Institutions.

DECIDES

Article 1

1. Three (3) positions of Judges in the Community Court of Justice are hereby allocated to the following Member States:
 - The Republic of Liberia
 - The Republic of Mali and
 - The Federal Republic of Nigeria



2. A position of judge is hereby allocated to Burkina Faso who by this allocation replaces Ghana in the earlier allocation of judge made by the Authority under Decision A/DEC.2/02/12 allocating four (4) positions of judge of the Community Court of Justice to Member States.

3. The present composition of judges in the Community Court of Justice is as follows:

1. Burkina Faso
2. Republic of Guinea
3. Republic of Guinea Bissau
4. Republic of Liberia
5. Republic of Mali
6. Republic of Nigeria and
7. Republic of Senegal

Article 2

The tenure of Judges referred to under Article 1 of this Decision shall be for a four (4) year non-renewable period.

Article 3

1. The Judges shall be appointed in conformity with the modalities provided for under Regulation C/REG.23/12/07 relating to the Rules of Procedure of the Community Judicial Council.
2. The ECOWAS Commission shall initiate the necessary procedures for the recruitment exercise.

Article 4

This Decision shall be published by the ECOWAS Commission in the Official Journal of the Community, within thirty (30) days of its signature by the Chairman of Authority. It shall also be published by each Member State in its Official Journal, within thirty (30) days after its notification by the Commission.



DONE AT ABUJA, THIS 18TH DAY OF JULY 2013

A handwritten signature in cursive script, which appears to read 'Alassane Ouattara', is written over a horizontal dotted line.

H.E. ALASSANE OUATTARA

CHAIRMAN

FOR THE AUTHORITY