

No. 20352

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**UPPER VOLTA, MALI and NIGER**

**Convention establishing the Statutes of the Liptako-Gourma Integrated Development Authority (with map). Signed at Bamako on 3 June 1971**

*Authentic text: French.*

*Registered by Upper Volta on 19 August 1981.*

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**HAUTE-VOLTA, MALI et NIGER**

**Convention portant statuts de l'Autorité de développement intégré du Liptako-Gourma (avec carte). Signée à Bamako le 3 juin 1971**

*Texte authentique : français.*

*Enregistrée par la Haute-Volta le 19 août 1981.*

## [TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> BETWEEN THE UPPER VOLTA, MALI AND  
THE NIGER ESTABLISHING THE STATUTES OF THE  
LIPTAKO-GOURMA INTEGRATED DEVELOPMENT  
AUTHORITY

The Government of the Republic of the Upper Volta,

The Government of the Republic of Mali,

The Government of the Republic of the Niger,

Wishing to ensure the economic advancement of their respective countries and in particular of their common region of Liptako-Gourma;

Anxious to provide their peoples with the economic development that they seek, through the utilization of mineral, energy, hydraulic, agricultural and livestock-farming resources;

Recognizing the interdependencies of their States in the Liptako-Gourma region;

Aware of the potential benefits in such a way of international co-operation conducted on a regional basis;

Considering the Agreement Protocol establishing the Integrated Development Authority of the Liptako-Gourma Region;

Affirm in this Convention their common will to co-operate and to negotiate jointly with third countries and with external financial, commercial or operating companies in matters concerning the production, processing, marketing and development of mineral, energy, livestock-farming and fisheries resources.

To this end, have agreed on the following provisions establishing the statutes of the Liptako-Gourma Integrated Development Authority.

TITLE I. NATURE AND OBJECTIVES OF THE LIPTAKO-GOURMA AUTHORITY

*Article 1.* The High Contracting Parties hereby establish an organization known as the Integrated Development Authority of the Liptako-Gourma Region, hereinafter referred to as the Liptako-Gourma Authority.

<sup>1</sup> Came into force on 4 September 1972, i.e., one month after the date of deposit with the Government of Upper Volta of the last of the instruments of ratification or approval, in accordance with article 25. Instruments of ratification were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Mali . . . . .	15 May 1972
Niger . . . . .	4 August 1972
Upper Volta . . . . .	4 August 1972

*Article 2.* The Authority shall be a non-profit-making multinational public body, with financial autonomy and legal status.

*Article 3.* The Authority shall enjoy full legal status with the capacity, in particular:

- To enter into contracts;
- To acquire and transfer goods, property and real estate;
- To institute legal proceedings.

*Article 4.* The purpose of the Authority shall be the joint promotion, within a regional framework, of the utilization and development of the mineral, energy, hydraulic, agricultural, livestock-farming and fisheries resources within the Liptako-Gourma zone delineated by the letters A B C D E F G H I A on the map<sup>1</sup> annexed to this text where:

- A = Centre of the town of Tombouctou (Mali);
- AB = Straight segment;
- B = Centre of the town of Kidal (Mali);
- ACD = Straight segment from Kidal, through the centre C of the town of Filingué (Niger) to D on the Niger-Nigeria frontier;
- DE = Part of the Niger-Nigeria frontier, the point where the Niger, Nigeria and Dahomey meet;
- EF = Niger-Dahomey frontier, F being the point where the Niger, Dahomey and the Upper Volta meet;
- FG = Upper Volta-Dahomey frontier, G being the point where the Upper Volta, Dahomey and Togo meet;
- GH = Upper Volta-Togo frontier;
- HI = Part of the Upper Volta-Ghana frontier, the straight line IA passing through the centre of Ouagadougou (Upper Volta);
- IA = Straight segment.

Changes in the delimitation of the Liptako-Gourma region may be made at the request of one of the States concerned, provided that one year's notice is given and the agreement of the other Parties is obtained.

*Article 5.* The Authority shall undertake the utilization and development of the resources of Liptako-Gourma by means of:

- Economic surveys, and pre-investment projects;
- Procurement of financing for projects concerning infrastructure, energy, mines, livestock-farming, agriculture, hydraulics and fisheries;
- Selection or establishment of companies to participate in the implementation of the projects examined and adopted, in all the above-mentioned fields.

For this purpose, the Authority shall be empowered to conclude agreements with:

- Member States;
- Third countries;

<sup>1</sup> See insert in a pocket at the end of this volume.

- Financial and commercial companies, and companies conducting feasibility and operational studies;

These agreements may be:

- Agreements on the harmonization of legislation;
- Technical co-operation agreements;
- Payments agreements;
- Financing agreements;
- Trade agreements;
- Contracts concerning:
  - Surveys;
  - Projects;
  - Establishment of industrial or commercial undertakings;
  - Training of staff from the member countries of the Authority in the various fields of interest to the Authority.

## TITLE II. ORGANS OF THE LIPTAKO-GOURMA DEVELOPMENT AUTHORITY

*Article 6.* The organs of the Authority shall be:

- The Council of Ministers;
- The Directorate-General.

*Article 7.* The supreme organ of the Authority shall be the Council of Ministers of the member States.

The Council shall be composed, in principle, of the ministers responsible for industry or the economy, one for each member State, or of their duly appointed representatives. The chairmanship shall rotate among the member States, being held by each one for a period of two years.

Each State may, however, delegate the minister of its choice to attend a Council meeting.

The Chairman shall convene at least one ordinary meeting of the Council each year.

Notice of meetings of the Council shall be sent one month in advance except in the case of extraordinary meetings. They shall be accompanied by an agenda prepared by the Chairman as well as by introductory reports on the questions submitted for the consideration of the Council of Ministers.

*Article 8.* The Council of Ministers shall establish general policy and priority operations and each year determine the contributions of member States.

It shall ensure that its directives are carried out.

The members of the Council shall jointly sign the agreements referred to in article 5, when they concern all the member States of the Authority.

*Article 9.* Decisions of the Council shall be taken unanimously by its members and shall be notified by the Chairman of the Council to the Director-General of the Authority.

*Article 10.* Minutes shall be prepared for all the Council's deliberations.

*Article 11.* Each minister shall report on the activities of the Council to his Head of State.

*Article 12.* The Council's deliberations shall be valid only if all the member States are represented.

*Article 13.* The Directorate-General of the Authority shall be responsible for ensuring implementation of the Authority's objectives and of the decisions of the Council of Ministers.

To this end, the Directorate-General shall:

- Collect, both outside and inside Liptako-Gourma, all information considered useful on trends in the markets for products which could be supplied by the Liptako-Gourma region;
- Centralize and standardize the information and statistical data to be supplied to it by States on:
  - Products;
  - Mining output;
  - Transport infrastructure;
  - Energy production and consumption;
  - Livestock and animal produce;
  - Agricultural output and related factors;
  - Trade flows across and inside the region;
  - Supply and demand trends;
  - The prices charged at the various stages and price setting inside and outside the region;
  - Intermediate costs and especially transport costs, profit margins, etc.;
  - Surveys and their findings;
  - Miscellaneous economic projects;
- Collate the above information and circulate it among the departments, individuals and legal entities concerned;
- Process the data collected and draw conclusions in the form of concrete proposals for programmes and projects to be carried out, for submission to the Council;
- Co-ordinate all national programmes for the economic development of the region.

These programmes and projects shall comprise, *inter alia*:

- Mining of minerals and development of related industries;
- Installation and equipment of power-generating stations;
- Development of livestock-farming and creation of related industries;
- Development of infrastructure (transport, telecommunications);
- Development of agriculture and creation of related industries;
- Marketing of mining products, livestock produce, agricultural and fisheries produce;
- Research for the development of the mining industry, livestock farming and agriculture.

Various financial, fiscal and industrial measures may be proposed by the Directorate-General to the Council of Ministers in order to implement its

programmes and, in particular, to interest nationals of the member States in developing the Liptako-Gourma region.

This list of the activities of the Directorate-General is not restrictive. The Contracting Parties reserve the right to decide to instruct it to conduct any survey or even take any action which they may deem useful and which falls within the scope of this Convention.

The Contracting Parties agree, however, to limit the functions of the Directorate-General to surveys or actions decided on jointly and to the formulation of programmes and proposals, without giving it authority of any kind over the Governments. Decisions stemming from these proposals shall be taken by each Government in the case of domestic projects within the individual States and by common accord between the Governments concerned in the case of inter-State agreements.

*Article 14.* The Directorate-General shall initially be located in Ouagadougou.

It may be transferred at any time to any other place or to another member State of the Authority, by decision of the Council.

*Article 15.* The Director-General shall be appointed by the Council of Ministers for a renewable term of three years. He shall be responsible for the operation of the Directorate-General under the authority and supervision of the Chairman of the Council. He shall report to the Council on the implementation of the decisions notified to him.

He shall be in charge of the entire staff of the Directorate-General.

He shall recruit and dismiss junior executives, employees and workmen. He shall administer the Authority's budget.

He shall be considered as an international civil servant and, as such, shall enjoy diplomatic privileges and immunities.

In his work, he shall be assisted by the various national technical services.

*Article 16.* Rules of procedure adopted by the Council of Ministers shall set out the method of operation of the organs of the Authority.

### TITLE III. STAFF

*Article 17.* The Chairman of the Council shall appoint the senior executives of the Directorate-General, after consultation with the Council of Ministers, from among the candidates nominated by the member States. He shall terminate their appointments.

These senior executives shall be competent, high-level technicians experienced in the disciplines relating to the programmes of work drawn up by the Council, which shall decide their number and qualifications.

They shall be responsible to the Director-General, from whom they shall receive orders and to whom they shall report on the execution thereof.

The staff of the Authority shall be governed by special regulations.

*Article 18.* The salaries of the Director-General and of the senior executives shall be decided by the Council.

*Article 19.* In view of its multinational character and legal status, the privileges, immunities and various benefits to which the Authority is entitled shall be negotiated between the Authority and the Government of the State in which it has its headquarters. These privileges, immunities and benefits shall be specified in the Authority's headquarters agreements.

#### TITLE IV. BUDGET

*Article 20.* The budget of the Authority shall consist of:

- Equal contributions from the member States;
- Subsidies;
- Donations;
- Legacies;
- Revenue from property and real estate;
- Bank interest on blocked capital (especially for amortization).

#### TITLE V. MISCELLANEOUS PROVISIONS

*Article 21.* Any independent and sovereign African State possessing a frontier with the Liptako-Gourma region may notify the current Chairman of the Council of Ministers of its intention of becoming an associate member.

Upon receipt of such a request, the Chairman shall inform all the members of the Council of Ministers. Admission as an associate member shall be decided by the Council of Ministers.

The State concerned shall be informed of the decision by the Head of the State of which the Chairman of the Council of Ministers is a national. Associate membership shall be defined subsequently by the Council of Ministers.

*Article 22.* Any State wishing to withdraw from the Authority shall notify the current Chairman of the Council of Ministers in writing.

The Chairman shall notify the other member States.

One year after such notification, this Convention shall cease to apply to the State in question, which is thus no longer a member of the Authority.

The withdrawing State shall be required to respect all contractual obligations assumed prior to the notification of its withdrawal.

*Article 23.* This Convention may be amended or revised if a member State sends a written request to this effect to the current Chairman of the Council of Ministers.

The Chairman shall then notify the other member States of the request.

The amendment shall be approved by the Council of Ministers. It shall take effect only after ratification by the member States.

*Article 24.* This Convention shall be ratified or approved by the signatory States in accordance with their respective constitutional procedures.

The original instrument shall be deposited with the Government of the Republic of the Upper Volta, which shall transmit the certified true copies of this document to all the signatory States.

The instruments of ratification or approval shall be deposited with the Government of the Upper Volta, which shall notify all the signatory States of the deposit thereof.

*Article 25.* This Convention shall enter into force one month after all the signatory States have deposited their instruments of ratification or approval with the Republic of the Upper Volta.

DONE at Bamako on 3 June 1971.

For the Government of the Republic of the Upper Volta:

EDOUARD YAMEOGO

Minister of Planning, Industry and Mining

For the Government of the Republic of Mali:

ROBERT N'DAN

Minister of Industrial Development and Public Works

For the Government of the Republic of the Niger:

ABDOULAYE DIALLO

Commissioner-General for Development

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