



Economic Community Of West
African States



The Economic Commission for
Africa



Union Économique et Monétaire
Ouest Africaine

Aide memoire

Workshop on legal framework for e-commerce and
an harmonized legal framework for ICT in West Africa
Ouagadougou (Burkina Faso)
19-20 December 2006

Context

The ECOWAS strategic medium term plan 2004-2007 was developed to enable Member States take up the challenges for the realization of the NEPAD objectives, and those contained in the Millennium Development Goals (MDGs).

Implementation of the plan is expected to go beyond the mere ratification of protocols, by implementing efficiently priorities identified in the regional integration process. Two priority sectors were identified in the medium term plan: liberalization and facilitation of intra sub- regional trade including, e-commerce promotion, as well as harmonization of legal framework on Information and Communication Technologies.

The main objectives are to assess the current state of liberalization and facilitation in general and the development of e-commerce in particular. In this context there will be an assessment of the state of ICT infrastructure in the ECOWAS sub-region.

In view of above, ECOWAS and ECA signed in February 2004, a Memorandum of Understanding to delineate the sectors of collaboration between the two organizations. One of the sectors identified is the development of an ECOWAS strategic medium term plan in order to bring about the Information Society in the sub-region. Thus the ECA was requested to provide support to ECOWAS and UEMOA in formulating an harmonized legal framework for e-commerce at the sub-regional level.

The adoption of a legal framework will be also part of the efforts of the sub-region in implementing the Plan of Action adopted by the World Summit on the Information Society (WSIS). Furthermore, an harmonized legal framework for e-commerce among ECOWAS Member States will put in place a favourable environment for sub-regional commercial activities, by simplifying procedures and processes, while at the same time attracting foreign direct investments. It will also help Member States in adopting the framework at the national level.

The purpose of the study on legal framework for e-commerce and that on an harmonized legal framework on ICT are not a revision of existing legislation; they rather plan to concentrate on the technical and policy aspects of relevant frameworks in order to promote trade and other exchanges among Member States. However, the study on e-commerce has already reviewed related legislation, which should be revised because of the nature of e-commerce as well as the transborder questions that it raises.

Objectives

The objectives of the workshop are as follows:

- To discuss the results of the study on the legal framework for e-commerce; and
- To make recommendations for the formulation of an harmonized legal framework for ICT in the West African sub-region.

Participants

This workshop is organized for ECOWAS and UEMOA member States. Participants from BCEAO and OHADA, as well as Academia, Private sector, Civil Society, Media, etc. will also take part.

Outputs

- Model of legal framework for e-commerce
- Plan for the harmonization of the ICT legal framework in West Africa

Place of the workshop

Ouagadougou (Burkina Faso)

Duration

December 19-20, 2006

Organizers

This workshop is co-organized by ECOWAS, UEMOA and ECA with the co-operation of the Ministry of Posts and Information and Communication Technologies of Burkina Faso.

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