

**SUPPLEMENTARY PROTOCOL A/SP.3/5/80 AMENDING ARTICLE VIII OF THE FRENCH TEXT OF THE PROTOCOL RELATING TO THE DEFINITION OF THE CONCEPT OF PRODUCTS ORIGINATING FROM MEMBER STATES (TREATMENT OF MIXTURES) ..... 2**

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**SUPPLEMENTARY PROTOCOL A/SP.3/5/80  
AMENDING ARTICLE VIII OF THE FRENCH TEXT OF  
THE PROTOCOL RELATING TO THE DEFINITION OF  
THE CONCEPT OF PRODUCTS ORGINATING FROM  
MEMBER STATES (TREATMENT OF MIXTURES)**

## **THE HIGH CONTRACTING PARTIES**

**MINDFUL** of Article VIII of the Protocol relating to the definition of the concept of products originating from Member States;

**CONSIDERING** that the English and French texts of the second paragraph of the said Article are not identical;

**CONVINCED** that the English text is more satisfactory;

**ANXIOUS** to eliminate all difficulties that could hinder the application of the Treaty and the annexed Protocols;

**DESIROUS** of concluding an Additional Protocol relating to the amendment of Article 8 of the French text of the Protocol relating to the definition of the concept of products originating from Member States;

**HAVE AGREED AS FOLLOWS:**

### **Article I**

Article VIII of the French text of the Protocol relating to the definition of the concept of products originating from Member States is modified as follows:

## **TREATMENT OF MIXTURES**

### **New Article VIII**

1. "In the case of mixtures not being groups, set or assemblies of goods dealt with under Article X of this Protocol, a Member State may refuse to accept as originating in a Member State any product resulting from the mixing together of goods which would qualify as originating in the Member State with goods which would not qualify, if the characteristics of the product as a whole are not essentially different from the characteristics of the goods which have been mixed."
2. "In the case of particular products for which the Council of Ministers finds it desirable to accept mixing as envisaged under paragraph 1 of this Article, such products may be considered as originating from Member States, subject to such conditions as the Council of Ministers may fix upon the recommendation of the Commission, in respect of the part utilised in the mixing which could be proved to be originating from Member states."

## Article II

### DEPOSIT AND ENTRY INTO FORCE

1. The present Additional Protocol shall enter into force provisionally upon signature by the Heads of State and Government of Member States and definitively upon ratification by at least seven signatory States in conformity with the constitutional procedures for each Member State.
2. The present Additional Protocol as well as all Instruments of Ratification shall be deposited with the Executive Secretariat which shall transmit true certified copies of present Additional Protocol to all Member States, notify them of the dates of deposit of the Instrument of Ratification and shall register the Present Additional Protocol with the Organisation of African Unity, the United Nations Organisation and any other Organisations that the Council may designate.
3. The present Additional Protocol is annexed to and forms an integral part of the Treaty.

### IN FAITH WHEREOF WE THE HEADS OF STATE AND GOVERNMENT OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES HAVE SIGNED THIS ADDITIONAL PROTOCOL

DONE AT LOME THIS 28<sup>TH</sup> DAY OF MAY, 1980 IN SINGLE ORIGINAL IN THE ENGLISH  
AND FRENCH LANGUAGES BOTH TEXTS BEING EQUALLY AUTHENTIC

*Signed*

**H.E. Colonel Mathieu KEREKOU**  
*President of People's Republic of Benin*

*Signed*

**H.E. Major Pedro PIRES**  
*Prime Minister*  
*For and on behalf of the*  
*President of the Republic of Cape Verde*

*Signed*

**H.E. Mr. Hilla LIMANN**  
*President of the Republic of Ghana*

*Signed*

**H.E. Dr. Ahmed Sekou TOURE**  
*President of the People's Revolutionary*  
*Republic of Guinea*

*Signed*

**H.E; Mr. Simeon AKE**  
*Minister of Foreign Affairs*  
*For and on behalf of the*  
*President of the Republic of Ivory-Coast*

*Signed*

**Hon. Mr. Saihou SABALLY**  
*Minister of Economic Planning*  
*and Industrial Development*  
*for and on behalf of the*  
*President of the Republic of Gambia*

*Signed*

**H.E. Colonel Seyni KOUNTCHE**  
*Head of State and Chairman of the Supreme*  
*Military Council of the Republic of Niger*

*Signed*

**H.E. Alhaji Shehu SHAGARI**  
*President of the Federal Republic of Nigeria*

*Signed*

**H.E. Mr. Luiz Cabral**

*President of the Republic of Guinea Bissau*

*Signed*

**H.E. Mr. Amadou Oledor Sall**

*Minister of Defence*

*For and on behalf of the*

*President of the Republic of Senegal*

*Signed*

**H.E. General A. Sangoule LAMIZANA**

*President of the Republic of Upper Volta*

*Signed*

**For H.E. Dr. Siaka STEVENS**

*President of the Republic of Sierra Leone*

*Signed*

**H.E. General Mousa TRAORE**

*President of the Republic of Mali*

*Signed*

**H.E. General Gnassingbe EYADEMA**

*President of the Republic of TOGO*

*Signed*

**H.E. Mr. Mohamed OULD HADALLA**

*President of the Islamic*

*Republic of Mauritania*