

# Convention creating Organization for the development of the Senegal River

## Preamble

Heads of State and Government of

The Republic of Mali,  
The Islamic Republic of Mauritania,  
The Republic of Senegal,

*Considering* the Charter of the United Nations of June 26, 1945.

*Considering* the Charter of the Organization of African Unity of May 25, 1963.

*Considering* the International Convention of March 11, 1972 relating to the statute from the Senegal river, 25 in particular its article 11.

(25No 5 above.)

Decided to promote and intensify the economic co-operation and exchanges and to continue jointly their efforts of economic development by the development of the resources of the Senegal river,

Determined to maintain and reinforce between their States the conditions favorable to the achievement of these objectives and to surmount for this purpose all the obstacles,

ARE AGREED OF WHAT FOLLOWS:

## II. Organization drank

### Article premier

(26Tel that modified by the 6/C.C.E.G resolution. /ML.B of the Conference of the Heads of State and government of the OMVS, dated December 21, 1978.)

It is created a common Organization of co-operation for the development of the resources of the river Senegal called Organisation for the development of the river Senegal (OMVS) whose seat is fixed in Dakar. It can be transferred in any place by decision from the Conference from the Heads of State and government.

This Organization is charged:

1. Application of the Convention of March 11, 1972 relating to the statute of the Senegal river;
2. Promotion and coordination of the studies and work of development of the resources of the basin of the Senegal river on the own territories of the Member States of the Organization;

3. Of any technical and economic mission that the Member States will want to entrust to him together.

For the realization of this mission, the Organization enjoys the legal personality and has in particular the capacity of:

- (A) To contract;
- (b) To acquire and yield movable and real property necessary to its normal operation;
- (c) To receive gifts, subsidies, legacies and other liberalities;
- (D) To subscribe to loans;
- (E) To call upon the technical aid;
- (F) Be party to legal proceedings.

The Council of Ministers is the legal representative of the Organization. It can delegate to Office of the High Commission the power to achieve the legal documents enumerated above.

#### **Article 2**

This Organization does not make obstacle with creation, the existence and the operation of national organizations or regional institutions embracing of the different or wider fields of co-operation.

### **III. Conference of the Heads of State and government**

#### **Article 3**

The Conference of the Heads of State and government of the Organization is the supreme authority of the Organization. It lays down the policy of co-operation and development of the Organization. It makes the decisions concerning the general economic policy of the Organization and any decision on the level of its spring.

#### **Article 4**

The Conference of the Heads of State and government of the Organization meets in ordinary session once per annum. It can meet in extraordinary session on the initiative of its President or at the request of a Member State.

It unanimously takes to its decisions its members.

#### **Article 5**

The decisions adopted by the Conference are essential on all the Member States, which are committed ensuring the application of it.

#### **Article 6**

The presidency of the Conference of the Heads of State and government is taken very of role and for one two years duration by each Head of State and government.

### **IV. Safety and Health Committee**

## **Article 7**

The Safety and Health Committee of the Organization for the development of the Senegal river are:

- The Council of Ministers,
- Office of the High Commission,
- Standing committee of water.

It can be created any other body considered to be necessary to the realization of the program of the Organization.

## **V. the Council of Ministers**

### **Article 8**

The Council of Ministers is the body of design and control of the Organization. It works out the general policy of installation of the Senegal river, of development of its resources, co-operation between the States around the Senegal river. It is composed ministers at a rate of one per Member State. These ministers can be accompanied members by their government. The programs of installation interesting one or more Member States must be approved by the Council of Ministers of the Organization before any beginning of execution.

The Council of Ministers defines the priority operations of installation of the river and development of its resources.

It fixes the contributions of the Member States at the financing of the operational budget and the operations of studies of work of the Organization of which it approves the budgets.

The decisions of the Council of Ministers of the Organization have force obligatory for the Member States.

### **Article 9**

The presidency of the Council of Ministers of the Organization is assured in turn and for two years by each Member State.

### **Article 10**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The Council of Ministers of the Organization meets in ordinary session twice a year on convocation of its President and in extraordinary session at the request of the one of the Member States.

The President of the Council of Ministers is held to convene and chair the ordinary and extraordinary sessions.

Obligation is made in each State attend the meetings of the Council of Ministers.

Between two sessions of the Council of Ministers, the President of the Council represents this body in his attributions of control and follow-up of his decisions.

In the event of urgency, the President of the Council of Ministers can, after consultation of the other members of the Council, to take the academies required measures coming under the responsibility of the Council, necessary to the safeguard of the interests of the Organization.

The Council of Ministers returns account to the Conference of the Heads of State and government via its assisted President-in-Office of the High commissioner.

It approves the rules of procedure of Office of the High Commission. The decisions of the Council of Ministers are unanimously made Member States.

## **VI. Office of the High Commission**

### **Article 11**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

Office of the High Commission is the body of execution of the Organization. It applies the decisions of the Council of Ministers of the Organization, and regularly gives an account of the execution of these decisions and any initiative which it has to make within the framework of the directives given by the Council of Ministers.

Office of the High Commission of the Organization is directed by a High commissioner named by the Conference of the Heads of State and government for one four years renewable duration. It is put an end to its functions under the same conditions.

The flow chart of Office of the High Commission is fixed by the Council of Ministers on a proposal from the High commissioner.

### **Article 12**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

Between two sessions of the Council of Ministers, the High commissioner represents the Organization. He makes all decisions of the level of his spring in the respect of the directives of the Council of Ministers and within the limit of the capacities which are deputy for him.

### **Article 13**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The High commissioner is charged to gather the source data interesting the basin of the Senegal river on the territory with the Member States. He submits to the Council of Ministers the common program work for the coordinated development and the rational exploitation of the resources of the basin of the Senegal river. He is responsible for the execution of the studies and work relating to the regional infrastructure.

#### **Article 14**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The High commissioner examines the projects of hydro-agricultural installation worked out by the Member States and subjects them with the reasoned opinion of the Standing committee of water to the Council of Ministers of the Organization. The High commissioner can be charged by one or more States of the execution of the studies and control of work relating to installation of the perimeters in the valley of the Senegal river.

#### **Article 15**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The High commissioner can be charged by one or more Member States of research of financings for work relating to installation of the Senegal river.

He represents the Organization in his relationships to the institutions of international assistance or bilateral co-operation for all that relates to the installation of the Senegal river.

For this reason, it is entitled to negotiate and sign, in the name of the Organization, the agreements and conventions of financing and technical aid necessary to the realization of the regional program of infrastructure, within the limit of the powers which are delegated to him by the Council of Ministers.

#### **Article 16**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The High commissioner is the director of the financial transactions of the Organization, in particular of his operational, his budget budget of study and work.

#### **Article 17**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The High commissioner is responsible before the Council of Ministers to which it returns and activity management account of Office of the High Commission. He is responsible for the management of the goods and the personnel of the Organization. He is the chief of the administration. For this reason, it has the hierarchical capacity on the whole of the personnel and the services of the Organization except for Financial Comptroller.

#### **Article 18**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The personnel of the Organization, except for Secretary general, of the directors and the advisers, is recruited by the High commissioner. He is put an end to his functions under the same conditions.

The High commissioner can, under his responsibility, to make delegations of signature or capacities which it considers necessary to the correct operation of Office of the High Commission.

#### **Article 19**

(27Tel that modified by the 8/C.C.E.G/S.SL resolution of the Conference of the Heads of State and government of the OMVS, dated December 11, 1979.)

The Secretary general, the directors and advisers are named by the Council of Ministers on a proposal from the High commissioner. He is put an end to their functions under same the conditions.

The Secretary general takes over temporarily the duties of the High commissioner in the event of absence or prevention.

### **VII. Standing committee of water**

#### **Article 20**

The Standing committee of water is charged to define the principles and the methods of the distribution of water of the Senegal river between the States and the sectors of use of water: industry, agriculture, transport.

The Commission is composed by the representatives of the Member States of the Organization.

It gives an advisory opinion with the address of the Council of Ministers. It meets as a need on convocation for the High commissioner.

### **VIII. Budgets**

#### **Article 21**

The operational budget, the budgets of studies and work of the Organization are fed by the Member States and all other interior or external resources adopted by the Council of Ministers.

### **Various provisions**

#### **Article 22**

Any Coastal state of the Senegal river can adhere to the Organization. For this purpose, it will have to address a request written to the State agent of the instruments of ratification which will seize the other Member States of them.

#### **Article 23**

Present Convention could be revised at the request of the one of the Member States. The request for revision will have to be addressed in writing to the President of the Conference of the Heads of State and government.

**Article 24**

In the absence of agreement between the States, any disagreement which could emerge between the Member States relative to the interpretation or the application of this Convention will be solved by the conciliation and the mediation. In the absence of agreement, the Member States will have to approach the Commission of conciliation and arbitration of the Organization of African Unity.

As a last resort, the Member States will seize the International Court of Justice of The Hague.

**Article 25**

(26Tel that modified by the 6/C.C.E.G resolution. /ML.B of the Conference of the Heads of State and government of the OMVS, dated December 21, 1978.)

Any State which wishes to withdraw Organization into formless in writing the President of the Conference of the Heads of State and government, which will make notification with the other Member States immediately of it. Negotiations are committed without delay by the aforementioned State with the other the interested Member States on the one hand, and thirds on the other hand, for the liquidation of its rights and obligations subscribed within the framework of this Convention.

The withdrawal becomes effective only after the signature of agreements of satisfactory payment for the other the interested Member States on the one hand and thirds on the other hand.

**Article 26**

The Organization can be dissolved at the request of with less the two Member States.

The Conference of the Heads of State and government pronounces dissolution in the majority of the Member States and adopts the procedures of devolution of the goods of the Organization.