

**TREATY ON THE HARMONIZATION IN
AFRICA OF BUSINESS LAW, SIGNED IN
PORT LOUIS on 17 OCTOBER 1993,
as REVISED IN QUEBEC on 17 OCTOBER
2008**

PREAMBLE

The President of the Republic of BENIN

The President of BURKINA FASO

The President of the Republic of CAMEROON

The President of the CENTRAL AFRICAN REPUBLIC

The President of the ISLAMIC FEDERAL REPUBLIC OF THE COMOROS

The President of the Republic of CONGO

The President of the Republic of IVORY COAST

The President of the Republic of GABON

The President of the Republic of GUINEA

The President of the Republic of GUINEA BISSAU

The President of the Republic of EQUATORIAL GUINEA

The President of Republic of MALI

The President of Republic of NIGER

The President of Republic of SENEGAL

The President of Republic of CHAD

The President of Republic of TOGO

High contracting parties to the Treaty on the Harmonization in Africa of Business Law,

Determined to achieve further progress toward African unity and to instill confidence for the economies of their countries in order to create a new pole of development in Africa;

Reaffirming their commitment to create an African economic community,

Convinced that belonging to the Franc zone, vector of economic and monetary stability, is a major asset for gradual realization of their economic integration and such integration must also be pursued in a wider African framework ;

Convinced that to achieve these objectives requires implementation in their States of a simple, modern and adapted harmonized business law in order to improve companies business;

Aware that it is essential that this law be applied with diligence under conditions conducive to guarantee the legal security of economic activities, promote the development thereof and foster

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investment;

Desiring to promote arbitration as an instrument to settle contractual disputes;

Determined to make new mutual efforts to improve professional development of justices and judicial officers;

Have agreed as follows:

TITLE I GENERAL PROVISIONS

First Article

The purpose of this Treaty is to harmonize business laws in States Parties by developing and adopting simple, modern and common rules adapted to their economies, setting up appropriate judicial procedures, and encouraging recourse to arbitration for settlement of contractual disputes.

Article 2

In the implementation of this Treaty, the following shall fall within the framework of business laws: all regulations concerning company laws and the legal status of business people, debt recovery, security interests and enforcing proceedings, companies receivership and judicial liquidation, arbitration law, labor law, accounting law, transportation and commercial transactions laws as well as any other issue decided and adopted unanimously by the Council of Ministers in accordance with this Treaty and the provisions of article 8 above.

Article 3 (as revised in Quebec on 17 October 2008)

The performance of duties provided for in this Treaty shall be carried out by an organization called Organization for the Harmonization in Africa of Business Law (OHADA).

OHADA includes of the Conference of Heads of State and Government, the Council of Ministers, the Common Court of Justice and Arbitration and the Permanent Secretariat.

The headquarters or official seat of OHADA is located in Yaoundé in the Republic of Cameroon. It can be transferred to any other location on a decision of the Conference of Heads of State and Government.

Article 4 (as revised in Quebec on 17 October 2008)

Whenever necessary, the Council of Ministers shall, by an absolute majority, adopt regulations for the application of the present Treaty and take other actions.

TITLE II THE UNIFORM ACTS

Article 5

Acts enacted for the adoption of common rules as provided for in article 1 of this Treaty shall be

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called “uniform Acts”.

The uniform Acts may include provisions for criminal sanctions. States Parties undertake to determine the criminal sanctions to be applied.

Article 6

The uniform Acts shall be prepared by the Permanent Secretariat in consultation with the Governments of the States Parties. They shall be deliberated and adopted by the Council of Ministers after consultation with the Common Court of Justice and Arbitration.

Article 7

Draft of the uniform Acts shall be provided by the Permanent Secretariat to the Governments of the States Parties, which shall then have ninety days starting on the date of receipt of such draft, to submit their written comments to the Permanent Secretariat.

However, the deadline provided for in the first paragraph may be extended to an equivalent term given the circumstances and the nature of the text to be adopted, at the discretion of the Permanent Secretary. Considering the circumstances, including the nature of the text to be adopted, such ninety-day period may be extended for another ninety days upon the Permanent Secretariat’s request.

At the expiration of the ninety-day time period, the draft uniform Acts, along with the States Parties’ comments and the report of the Permanent Secretariat, shall immediately be forwarded to the Common Court of Justice and Arbitration. The Court shall provide its advice within sixty days starting on the date of the receipt of a request for opinion.

Upon expiration of the new deadline, the Permanent Secretariat shall complete the final draft of the uniform Acts, and shall propose it for inclusion in the agenda of the next Council of Ministers.

Article 8

The adoption of the Uniform Acts by the Council of Ministers requires unanimous approval of the representatives of the States Parties present and voting.

The adoption of the uniform Acts shall be valid only if at least two-thirds of the States Parties are represented.

Abstention shall not preclude the adoption of the uniform Acts.

Article 9 (as revised in Quebec on 17 October 2008)

The uniform Acts shall be published in the Official Journal of OHADA by the Permanent Secretariat within sixty days following their adoption. They shall be in force ninety days after such publication, unless these uniform Acts contain different preconditions to entry into force.

The uniform Acts are also published in the States Parties, in their Official Journals or by any other appropriate means. This formality does not affect the entry into force of the uniform Acts.

Article 10

The uniform Acts shall be directly applicable and binding in the States Parties notwithstanding any contrary provision of previous or subsequent national legislation.

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Article 11

The Council of Ministers, upon recommendation of the Permanent Secretary, shall approve the annual program for the harmonization of business laws.

Article 12 (as revised in Quebec on 17 October 2008)

At the request of any State Party or the Permanent Secretariat and upon authorization of the Council of Ministers, the uniform Acts may be amended

The amendment shall be adopted under the conditions forest out in articles 6 through 9, above.

TITLE III**DISPUTES RELATING TO THE INTERPRETATION AND APPLICATION OF THE UNIFORM ACTS****Article 13**

Disputes relating to the application of the uniform Acts shall be settled in first instance and on appeal in the courts of the States Parties.

Article 14 (as revised in Quebec on 17 October 2008)

The Common Court of Justice and Arbitration is responsible of the interpretation and uniform application of the Treaty, of the regulations promulgated to further the Treaty's implementation, of the uniform Acts and of other the decisions.

The Court may be consulted by any State Party or by the Council of Ministers on any issue within the scope of the prior paragraph. The same ability to request the advisory opinion of the Court shall belong to national courts hearing a case pursuant to article 13, above.

Seized as court of final appeal, the Court shall rule on decisions taken by appellate courts of the States Parties in all matters raising issues to the application of the uniform Acts and to the regulations contemplated by the Treaty, save decisions applying criminal sanctions.

The Court shall rule in the same manner on decisions not subject to appeal rendered in the same litigation by any court of the States Parties.

When sitting as a court of final appeal, the Court shall invoke and rule on the substance.

Article 15

Challenges of legality, as provided for in article 14, shall be brought before the Common Court of Justice and Arbitration, either directly by one of the parties to the proceedings or by referral from a national court ruling on appeal of legality on a case that raises questions concerning the application of the uniform Acts.

Article 16

Referral of a case to the Common Court of Justice and Arbitration shall stay all proceedings of cassation brought before a national court against the decision in question. However, such rule shall not interfere with the execution proceedings. Such proceedings may only resume after the judgment of the Common Court of Justice and Arbitration when it declares that it lacks jurisdiction to hear the matter in question.

Article 17 (as revised in Quebec on 17 October 2008)

In the event that it manifestly lacks competence in a matter, the Common Court of Justice and Arbitration may raise the issue sua ponte or by all parties to the dispute in limine litis.

The Court shall decide within thirty days following the comments from the adverse party or following of the time limit prescribed for the submission of said comments. .

Article 18

Any party which, after raising the question of lack of jurisdiction of a national court ruling in cassation, believes that that the court has, in a dispute to which it is a party, misjudged the lack of jurisdiction of the Common Court of Justice and Arbitration, may seize the latter within two months from the notification of the contested decision.

The Court shall rule on its jurisdiction by a judgment that it shall notify to the parties and the jurisdiction in question.

Where the Court holds that such court has wrongly declared itself competent, the Court shall declare its decisions null and void.

Article 19

Proceedings before the Common Court of Justice and Arbitration shall be prescribed by rules adopted by the Council of Ministers under the conditions provided for in article 8 published in the OHADA Official Journal as well as in the official publications of the States Parties or by any other appropriate means.

Proceedings shall be adversarial in nature. Each party must be represented by counsel. Hearings shall be public.

Article 20

Judgments of the Common Court of Justice and Arbitration shall have the force of res judicata and shall be enforceable. On the territory of the States Parties, they shall be enforced under the same conditions as the decisions of national courts. In the same case, no decision inconsistent with the judgment of the Common Court of Justice and Arbitration may be subject to enforcement on the territory of the State Party.

**TITLE IV
ARBITRATION**

Article 21

In the application of an arbitration clause or an arbitration agreement, any party to a contract may file a request for arbitration to resolve a contractual dispute as provided in this Article, either because it has its domicile or usual residence in one of the States Parties, or the contract is executed or has to be executed in its entirety or partially on the territory of one or several States Parties.

The Common Court of Justice and Arbitration shall not rule on disputes. It appoints and confirms arbitrators, follows up the conduct of the proceedings and examines draft sentences pursuant to article 24 herein.

Article 22

A dispute may be settled by a sole arbitrator or three arbitrators. In the following Articles, the term “arbitrator” shall refer to either one or more arbitrators.

When the parties have agreed that the dispute shall be settled by a sole arbitrator, they may appoint him by mutual agreement subject to approval by the Court. Failing such agreement between the parties within thirty days from the date of notification from one party to another of a request for arbitration, the arbitrator shall be appointed by the Court.

Where three arbitrators are to hear the case, each party, in the request for arbitration or the answer thereof, shall appoint an independent arbitrator, such appointment being subject to the approval of the Court. If one party abstains from naming an arbitrator, the Court shall appoint an arbitrator. The third arbitrator who plays the role of President of the arbitral tribunal shall also be appointed by the Court unless the parties have stipulated that the two arbitrators they have appointed shall be the ones to select a third arbitrator within a prescribed time. In such case, the Court shall confirm the appointment of the third arbitrator. Where, at the expiry of the prescribed period by the parties or by the Court, the arbitrators appointed by the parties cannot reach an agreement between themselves, the third arbitrator shall be appointed by the Court.

If the parties have not agreed on the number of arbitrators, the Court shall appoint a sole arbitrator, unless it appears that the dispute would require the appointment of three arbitrators. In such a case, each party shall have fifteen days to appoint an arbitrator.

The arbitrators may be selected from the list of arbitrators established by the Court and updated annually. Members of the Court cannot be registered on that list.

In case an arbitrator is challenged by one party, the Court may rule thereon. Its decision shall not be appealed.

An arbitrator may be replaced upon such arbitrator’s decease or inability to act, when he is required to recuse himself due to a challenge or for any other ground or when the Court, upon hearing his observations, finds that the arbitrator is not exercising the mandate pursuant to the provisions of this Title or the Rules of Arbitration or within the prescribed time periods. In each case, the arbitrator shall be replaced pursuant to the second and third paragraphs of this article.

Article 23

Any court of a State Party hearing a dispute which the parties have agreed to submit to arbitration shall declare itself incompetent if one of the parties to the dispute so demands and shall, where appropriate, refer the matter to the arbitration proceeding provided for in this Treaty.

Article 24

Before signing a partial or final award, the arbitrator shall submit the draft award to the Common Court of Justice and Arbitration.

The Court may suggest amendments only on its form.

Article 25

Arbitral awards made pursuant to the stipulations of this Title shall have the force of res judicata on the territory of each State Party in the same manner as judgments rendered by their national courts.

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Such decisions may be enforced by virtue of an order of enforcement.

The Common Court of Justice and Arbitration shall be the only body to render such an order.

The exequatur may only be rejected in the following cases:

1. The arbitrator ruled without an arbitration agreement or an agreement that is null and void;
2. The arbitrator did not rule pursuant to the mandate conferred;
3. The principle of adversarial proceedings was not observed;
4. The award is contrary to the international public policy.

Article 26

The Rules of Arbitration of the Common Court of Justice and Arbitration shall be set by the Council of Ministers under the conditions provided for in article 8. They shall be published in the OHADA Official Journal and shall also be published in the Official Journals of States Parties or by any other appropriate means.

TITLE V INSTITUTIONS

Article 27 (as revised in Quebec on 17 October 2008)

- 1) The Conference of Heads of State and Government shall be composed of the Heads of State and Government of the States Parties. The Conference is chaired by the Head of State or Government whose country chairs the Council of Ministers.

The Conference shall meet when necessary, at the invitation of its Chair, on its own initiative or that of a one third of the States parties.

The Conference decides on any and all questions relating to the Treaty.

There is a quorum for decision of the Conference only if at least two-thirds of the States Parties are present.

Decisions of the Conference are effective by consensus or, failing that, by the absolute majority of the States parties present.

- 2) The Council of Ministers is composed of ministers of Justice and Finance of the States Parties.

The Presidency of the Council of Ministers shall be chaired by the States parties, each for a one-year term to rotate among the States Parties in alphabetical order.

The President of the Council of Ministers is assisted by the Permanent Secretary.

Adhering States shall hold the presidency of the Council of Ministers for the first time in the order of their accession after all previous States parties have served.

If a State party is cannot serve as the Council of Ministers' chair during a year prescribed

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therefor, the Council appoints the State Party that is, pursuant to the prior paragraphs, next in line for the chair.

When the State Party that was previously unable to serve as chair considers that it is able so to serve, it shall promptly so inform the Permanent Secretariat, requesting that the Council of Ministers takes appropriate action.

Article 28

The Council of Ministers shall meet at least once a year, convened by the President on his initiative or on the initiative of one third of the States Parties. No deliberation shall take place unless at least two-thirds of the States Parties are represented.

Article 29

The President of the Council of Ministers shall set the agenda based on the proposals of the Permanent Secretary.

Article 30

The decisions of the Council of Ministers, other than those provided for in article 8, shall be taken by the absolute majority of the States Parties present and voting. Each State shall cast only one vote.

Article 31 (as revised in Quebec on 17 October 2008)

The Common Court of Justice and Arbitration is composed of nine judges.

Nevertheless, the Council of Ministers may, upon considering the size of the tasks and the availability of finances, set a higher number than the one set forth in the foregoing Article.

Judges of the Common Court of Justice and Arbitration are elected for a non-renewable term of seven years, from among the nationals of the States Parties.

They are chosen from among:

1. Magistrates having at least fifteen years of professional experience and satisfying their countries' criteria for service in senior judicial position;
2. Lawyers, being members of the Bar of one of a State Party, and having at least fifteen years of professional experience;
3. Law professors having at least fifteen years of professional experience.

One third of the members of the Court must belong to the categories referred to in points 2 and 3 of the prior paragraph.

The Court shall not include more than one national of any State Party.

This Article shall be applied in accordance with the regulations promulgated pursuant to article 19, above.

Article 32

The members of the Court are elected by secret ballot by the Council of Ministers from a list of individuals presented for this purpose by the States Parties.

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Each State Party may present two candidates at the most.

Article 33

The Permanent Secretary invites the States Parties to proceed, within a period of at least four months before the elections, with the nomination of candidates to the Court.

The Permanent Secretary establishes an alphabetical list of the nominated candidates and shall provide a copy thereof to the States Parties at least one month before the elections.

Article 34

After their election, the members of the Court take oath to perform faithfully their duties in full impartiality.

Article 35

In the event of death of a member of the Court, the President of the Court immediately informs the Permanent Secretary who declares the vacancy from the date the death occurred.

In case one member of the Court resigns, or where the other members of the Court unanimously agree that a member has ceased to fulfill his functions for any reason other than that of a temporary absence, or is no longer able to fulfill them, the President of the Court, after inviting the concerned member to appear before the Court and to give his oral observations, shall inform the Permanent Secretary, who shall announce the vacancy.

In each of the above circumstances, the Council of Ministers proceeds, under the conditions of articles 32 and 33, with the replacement of the member whose post became vacant, for the remaining period of the term, unless that period is six months or less.

Article 36

The members of the Court shall not be removed during their tenure.

Each member of the Court shall remain in office until the date his successor takes office.

Article 37

The Court elects, among its own members, its President and two Vice-Presidents for nonrenewable terms of three and a half years. The members of the Court whose term on the day of election is less than the above mentioned period, may be elected to exercise those functions until the expiry of the said term. They may be reappointed to those functions if they are elected by the Council of Ministers to exercise a new term as members of the Court. No member of the Court shall perform political or administrative functions. All remunerated activities must be authorized by the Court.

Article 38

The duration of the term of the seven judges appointed at the same time for the initial constitution of the Court shall be respectively three years, four years, five years, six years, seven years, eight years and nine years. The term for each judge shall be determined by drawing lots at the Council of Ministers by the President. The first renewal of the Court shall take place three years from the date of its initial creation.

Article 39 (as revised in Quebec on 17 October 2008)

After soliciting the opinion of the Common Court of Justice and Arbitration, its President shall appoint the chief clerk of the Court from among the chief clerks, having at least fifteen years of

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professional experience, and having been nominated by the States Parties.

Upon the advice of the Court, the President shall also appoint the Secretary General in charge of assisting the Court in the exercise of its obligation to administer arbitration proceedings, in accordance with the criteria defined in regulations promulgated by the Council of Ministers.

Upon the request of the Chief Clerk or General Secretary, as appropriate, the President shall fulfill other positions.

Article 40 (as revised in Quebec on 17 October 2008)

The Permanent Secretariat is the executive body of the OHADA. It is headed by a Permanent Secretary appointed by the Council of Ministers for a four-year term, renewable once.

The Permanent Secretary of OHADA represents OHADA and shall assist the Council of Ministers.

The appointment and the functions of the Permanent Secretary as well as the organization and operations of the Permanent Secretariat are defined by regulations of the Council of Ministers.

Article 41 (as revised in Quebec on 17 October 2008)

A centre of training and continuing education, and of study and analysis of business law is created and called Advanced Regional Training School of Magistracy (ERSUMA).

The institution is attached to the Permanent Secretariat.

The name and the purpose of the institution may be changed by regulation of the Council of Ministers.

The center is headed by a Director General appointed by the Council of Ministers for four-years term, renewable once.

The center's structure, management, resources and services of the School are defined by regulations of the Council of Ministers.

Article 42 (as revised in Quebec on 17 October 2008)

The working languages of OHADA are: French, English, Spanish and Portuguese.

Before translating the documents in other languages, documents already published in French shall have full effects. In the event of differences among the different translations, the French version will control.

TITLE VI FINANCIAL PROVISIONS

Article 43 (as revised in Quebec on 17 October 2008)

OHADA's resources consist mainly of:

- a) annual contributions of the States Parties, in accordance with the terms defined by regulation of the Council of Ministers,

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- b) assistance provided with agreements entered into between OHADA and States Parties or international organizations,
- c) donations and legs.

Annual contributions of the States Parties shall be determined by the Council of Ministers.

The Council of Ministers shall approve agreements contemplated in paragraph (b) and shall accept donations and legs contemplated in paragraph(c).

Article 44

Fee scales for arbitration proceedings as established by this Treaty as well as the distribution of contributions shall be approved by the Council of Ministers.

Article 45 (as revised in Quebec on 17 October 2008)

The annual budget of OHADA shall be adopted by the Council of Ministers.

The annual financial statements for each accounting period shall be certified by auditors appointed by the Council of Ministers, and shall be presented to the Council of Ministers for approval.

TITLE VII STATUS, IMMUNITIES AND PRIVILEGES

Article 46

OHADA shall enjoy full international legal personality. It shall be able to:

- a) enter into contract;
- b) acquire and dispose of movable and immovable property; and
- c) institute legal proceedings.

Article 47

In order to fulfil its duties properly, OHADA shall enjoy immunities and privileges on the territory of each State Party provided for in this Title.

Article 48

OHADA as well as its assets and possessions shall not be subject to any legal action, except where it renounces its immunity.

Article 49 (as revised in Quebec on 17 October 2008)

In accordance with regulation, civil servants and employees of OHADA, the judges of the Common Court of Justice and Arbitration as well as arbitrators appointed or confirmed by the said Court, shall benefit from diplomatic privileges and immunities.

As appropriate, the Council of Ministers may remove such immunities and privileges

Further, the judges may not be prosecuted for acts undertaken outside their official duties without due authorization of the Court.

Article 50

OHADA archives shall be inviolable wherever they are.

Article 51

OHADA, its assets, possessions and revenues as well as transactions authorized by this Treaty shall be exonerated from all taxes, impositions and customs duties. OHADA shall also be exempt from any obligation related to the collection or payment of taxes, impositions or custom duties.

TITLE VIII PROTOCOL RELATED CLAUSES

Article 52

This Treaty shall be ratified by the signatory States in accordance with their respective constitutional processes.

This Treaty shall enter into force sixty days following the date of the filing of the seventh ratification instrument. However, if the filing date of the seventh ratification instrument happens to be earlier than the hundred eightieth day that follows the day of signature of the Treaty, the Treaty shall enter into force on the two hundred fortieth day following the day of its signature.

With regards to any State Party which files its ratification instrument at a later date, this Treaty and the uniform Acts adopted before the ratification shall enter into force sixty days after the date of the aforesaid filing.

Article 53

This Treaty, upon its entry into force, shall be open to membership of any member State of the OAU¹ that is not signatory to the Treaty. Membership shall also be open to States nonmember of the OAU upon unanimous agreement of all States Parties.

With regards to any State Party that becomes a member, this Treaty and the uniform Acts approved before its admission shall enter into force sixty days after the filing of the ratification instrument.

Article 54

No reservation shall be permitted to this Treaty.

Article 55

Upon entry into force of this Treaty, the common institutions provided for in articles 27 to 41 shall be created. Signatory States which have not yet ratified the Treaty, may moreover take part in the Council of Ministers as observers, but shall have no voting rights.

Article 56

Any dispute that may arise between States Parties regarding the interpretation or the

¹ Should we say AU for African Union instead of OAU?

application of this Treaty and failing amicable settlement thereof, may be referred by a State Party to the Common Court of Justice and Arbitration. If one of the sitting judges in the Court is a national of one of the parties in dispute, any other party may appoint an ad hoc judge to sit for the hearing of the case. That judge shall meet the conditions set forth in article 31.

Article 57 (as revised in Quebec on 17 October 2008)

Instruments of ratification and instruments of accession shall be deposited with the Government of Senegal, which shall be the authorized Depository Government. A copy thereof shall be delivered to the Permanent Secretariat by the latter.

Article 58

Any State ratifying this Treaty or adhering thereto after entry into force of an amendment to this Treaty shall become a party to the Treaty as amended.

The Council of Ministers shall add the name of the new Member State on the list provided for in article 27 before the name of the State that holds the presidency on the date of the admission.

Article 59 (as revised in Quebec on 17 October 2008)

The Depository Government shall register the Treaty with the African Union and with the United Nations in accordance with article 102 of the United Nations Charter.

A copy of the registered Treaty shall be delivered to the Permanent Secretariat by the depository government.

Article 60

The depository government shall inform, without delay, all the signatory or adherent States of:

- a) the signing dates;
- b) the registration date of the Treaty;
- c) the filing dates of the accession and ratification instruments;
- d) The date of entry into force of the Treaty.

TITLE IX AMENDMENT AND DENUNCIATION

Article 61 (as revised in Quebec on 17 October 2008)

This Treaty may be amended or revised when a State Party sends to that effect a written request to the OHADA Permanent Secretariat which then forward it to the Council of Ministers.

The Council of Ministers shall examine the object of the request and the extent of the modification.

The amendment or revision must be adopted in the same manner as was the Treaty, at the request of the Council of Ministers.

Article 62

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This Treaty shall be in force indefinitely. In any event, it shall not be denounced before ten years from its entry into force.

Any denunciation of the Treaty shall be notified to the Depository Government and shall take effect only one year after the date of such notification.

Article 63

This Treaty, written in two copies in French, shall be deposited in the archives of the Republic of Senegal which shall deliver a certified true copy to each Government of the States Parties.

In witness thereof, the undersigned Heads of States and plenipotentiaries have affixed their signatures at the bottom page of the present Treaty.

For the Treaty on Harmonization in Africa of Business of Law signed in Port Louis on 17 October 1993,

The President of the Republic of BENIN	Nicéphore SOGLO
The President of BURKINA FASO	Blaise COMPAORÉ
For the President of the Republic of CAMEROON	The Minister of External Affairs
The President of CENTRAL AFRICAN REPUBLIC	Ange-Félix PATASSE
The President of the Federal Islamic Republic of COMORES	SAID MOHAMED DJOHAR
The President of the Republic of CONGO	Pascal LISSOUBA
For the President of IVORY COAST	Alassane Dramane OUATTARA, Prime Minister
For the President of the Republic of GABON	Casimir Oyé MBA Prime Minister
The President of the Republic of EQUATORIAL GUINEA	General Téodoro OBIANG NGUEMA MBASOGO
The President of the Republic of MALI	Alpha Oumar KONARE
The President of the Republic of NIGER	Mahamane OUSMANE
For the President of the Republic of SENEGAL	Moustapha NIASSE Minister of State, Foreign Affairs and Senegalese of the Diaspora

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The President of the Republic of CHAD Coronel Idriss DEBY

The President of the Republic of TOGO Gnassimbé EYADEMA

For the Treaty respecting revision of the Treaty on the Harmonization in Africa of Business Law signed in Port Louis on 17 October 1993 as revised in Quebec on 17 October 2008,

The President of the Republic of BENIN Boni YAYI

The President of BURKINA FASO Blaise COMPAORÉ

For the President of the Republic of CAMEROON Paul BIYA

The President of CENTRAL AFRICAN
REPUBLIC François BOZIZE

The President of the Republic of COMORES Ahmed Abdallah Mohamed SAMBI

The President of the Republic of CONGO Denis SASSOU NGUESSO

For the President of IVORY COAST Youssouf BAYAYOKO, Minister of Foreign
Affairs

For the President of the Republic of GABON El Hadj OMAR BONGO ODIMBE

For the President of the Republic of GUINEA Ahmed Tidiane SOUARE
Prime Minister

For the President of the Republic of GUINEA
BISSAU Maria da Conceição NOBRE CABRAL
Minister of Foreign Affairs

The President of the Republic of EQUATORIAL
GUINEA Téodoro OBIANG NGUEMA MBASOGO

The President of the Republic of MALI Amadou Toumani TOURÉ

For the President of the Republic of NIGER Seyni OUMAROU
Prime Minister

The President of the Republic of SENEGAL Abdoulaye WADE

The President of the Republic of CHAD

Idriss DEBY ITNO

For the President of the Republic of TOGO

Gilbert FOSSOUN HOUNGBO
Prime Minister

Consolidation approved by the Council of Ministers in Lomé on 15 December 2010

For the Council of Ministers

The President

Biossey Kokou TOZOUN