



Term of Office and Grounds for Replacement of a Member of the ECOWAS Parliament

The rules governing the composition and functioning of the ECOWAS Parliament are established under the **Supplementary Act A/SA.1/12/16 Relating to the Enhancement of the Powers of the ECOWAS Parliament**, adopted in December 2016. This legal instrument outlines the procedures for the appointment, tenure, and possible replacement of Members of Parliament (MEPs) representing each Member State.

According to the relevant provisions of the Supplementary Act:

1. Fixed Tenure of Members / Speaker and Deputy Speakers

- Article 18 (2) of the Supplementary Act clearly states that Members of the ECOWAS Parliament shall be elected for four (4) years from the date of the inauguration of the ECOWAS Parliament. This mandate shall last until the last day of the legislature. This fixed term is protected and cannot be interrupted arbitrarily by national authorities. Once a Member is duly elected and sworn in, their mandate is independent of national political changes or internal reassignments.
- Based on Articles 24 and 25 of the Supplementary Act, the tenure of the Speaker and Deputy Speakers shall be for the life of the Legislature.

2. Limited and Specific Grounds for Replacement

Replacement of a Member can only occur under the specific circumstances outlined in Article 18 (3) of the Supplementary Act and further clarified in the **Rules of Procedure of the Parliament**. These grounds include:

- Death of the Member;
- Written resignation to the Speaker (Voluntary resignation)
- Certified mental or physical Incapacity to perform his/her duty;
- Resignation due to incompatibility as stated in the Act
- Removal by Parliament due to disrepute as provided for in the Rules Procedure
- Non-Re-election of the member (lost of election

3. Incompatibility of Members of the ECOWAS Parliament

Article 19 of the Supplementary Act establishes the rules of incompatibility for Members of the ECOWAS Parliament (MEPs). The purpose of these rules is to prevent conflicts of interest, uphold the integrity and independence of the Parliament, and ensure that Members can perform their duties effectively and impartially.

Article 19 prohibits:

- Holding an executive position in a national government (e.g., Minister or President),
- Occupying a judicial office, or
- Performing duties in another international organization or institution that might conflict with ECOWAS responsibilities.

Therefore, political realignment, change of government, or internal party reshuffling **do not constitute valid grounds** for the replacement of a Member during their term.

4. Institutional Autonomy and Stability

The Supplementary Act was designed to **strengthen the independence and legitimacy of the ECOWAS Parliament**. Allowing Member States to recall or replace Members for reasons outside the legal framework would compromise the institutional integrity of the Parliament, disrupt its continuity, and open the door to undue political influence.

5. Examples of Attempts to Replacement Members

a. Togo - Dahuku Péré (2002)

- In August 2002, the National Assembly of Togo voted to replace Dahuku Péré—who had been elected as a Member of the ECOWAS Parliament—with Solitoki Esso. The vote passed overwhelmingly with no opposition in the Assembly. However,

the ECOWAS Parliament objected, stating that there was no legal basis under ECOWAS rules for such a unilateral replacement of a sitting member.

b. Liberia — Attempted recall of ECOWAS Parliamentarians (2025)

- In early 2025, the Liberian House of Representatives, under Speaker Richard Nagbe Koon, sought to recall and replace three sitting ECOWAS MPs (Samuel R. Enders Sr., Taa Z. Wongbe, and Moima Briggs-Mensah) citing internal legislative power struggles.
- ECOWAS Parliament formally rejected the request in a letter dated 7 March 2025. The letter cited Article 18.1.2 reaffirming that once MPs take the oath of office, their mandates are fixed for four years and cannot be terminated prematurely, except by resignation, death, incapacity, incompatibility, loss of elections, or misconduct.
- During an ECOWAS parliamentary session, MPs including Sheriff S. Sarr (Gambia), Mohammed Ndume (Nigeria), and others publicly rejected the Liberian attempt, emphasizing that ECOWAS rules cannot be overridden by national legislative action

c. Guinea Bissau - HON. MANUEL do NASCIMENTO LOPES (2025)

- In 2025 also, the National Assembly of Guinea Bissau through its Speaker sought to replace Hon. Manuel Lopes citing that, the said Representative was facing legal proceedings and awaiting trial in Portugal. In response, the ECOWAS Parliament rejected the request, explaining that the reason for which the request was made for the Member's replacement did not fall within the grounds upon which a Member could be replaced as provided under Article 18.

Conclusion:

Under the Supplementary Act A/SA.1/12/16, a Member State **cannot unilaterally or arbitrarily replace** a sitting Member of the ECOWAS Parliament during their fixed term. Any attempt to do so without meeting the legal conditions would be inconsistent with ECOWAS law and practice.