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ECOWAS Ministers of Energy Approve Regulation on Sanctions for Regional Electricity Market

Ministers of Energy from ECOWAS Member States have approved ERERA's Rules on Sanctions, one of the documents critical to the functioning of the regional electricity market.

Their approval of the document on Friday, 29th June 2018 in Cotonou was on the recommendation of a meeting of energy experts, held a day before. The document will be submitted to the ECOWAS Council of Ministers for adoption.

The Rules on Sanctions, one of the documents considered by the ministers at their meeting, is necessary to ensure the implementation, monitoring and control of the obligations established in ECOWAS Community legislation.

Specifically, the Rules on Sanctions define the sanctions that ERERA will apply in case of breaches of the ECOWAS Regional Electricity Market Regulation.

According to the approved document, "the Rules on Sanctions are applicable to any breach of the ECOWAS Regional Electricity Market Regulation committed by any participant of the ECOWAS Regional Electricity Market, or by the System and Market Operator, or by any transmission system operator or transmission service provider of an ECOWAS Member State, or by any entity obliged to comply with the ECOWAS Regional Electricity Market Regulation".

The Chairman of ERERA, Professor Honoré Bogler, explained that there are serious, significant and minor types of breaches, and that any of these may occur during market transactions, making it inconsistent with the Regional Electricity Market Regulation.

According to him, Electricity Market Regulation includes all applicable decisions, rules and regulations related to the electricity market and rules ensuring cross-border exchange and transport of electricity across the 14 mainland countries of ECOWAS.

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These legal instruments include, for example, the Regional Market Rules, the Regional Transmission Tariff Methodology, the WAPP Operation Manual, the Model Bilateral Agreements, the Regional Market Procedures, and the Rules of Practice and Procedures.

Professor Bogler further explained that each sanction may be determined considering the nature and seriousness of the breach, the damage caused to the regional or national economy, or to the Regional Electricity Market, the repetition of breaches, as well as previous behaviour of the defaulting person.

ERERA's functions include to overseeing the application and respect of technical rules and norms applicable to the regional electricity market as well as sanctioning defaulting operators in case of non-compliance with applicable regulation.

The ECOWAS Commissioner for Energy and Mines, Mr. Sédiko Douka, the Senior Minister of Planning and Development of Benin, Mr. Abdoulaye Bio Tchane and the Minister of Energy of Benin, Mr. Dona Jean-Claude Houssou addressed the ECOWAS Energy Ministers Meeting held on 29th June, in Cotonou.

All Member States of ECOWAS and Mauritania were represented at the meeting.

Also represented were the Commission of the Economic and Monetary Union of West Africa (UEMOA) and development partners, including the European Union, the United States Agency for International Development (USAID), the German International Cooperation (GIZ), The African Development Bank (AfDB) and the World Bank.