

COMPARATIVE TABLE OF DISPUTE RESOLUTION CLAUSES IN PUBLIC-PRIVATE PARTNERSHIPS (PPP) LAWS OF WEST AFRICAN ECONOMIC AND MONETARY UNION (WAEMU) MEMBER STATES

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	BENIN	BURKINA-FASO	IVORY COAST	GUINEE BISSAU	MALI	NIGER	SENEGAL	TOGO	WAEMU
PPP Statute	Statute No. 2016-24 - Legal framework for Public-Private Partnership (PPP)	Statute No. 032-2021/AN establishing the legal and institutional framework for Public-Private Partnership (PPP)	Decree No. 2018-358- Rules related to Public-Private Partnership (PPP) contracts. Decree No. 2009-259 of August 6, 2009 - Public Procurement Code for dispute resolution	Statute No. 2/2021- Public-partnership Law ("PPP Law")	Decree No. 2016-061/PM regarding Public-Private Partnership (PPP)	Decree No. 2018-40- Rgime for Public-Private Partnership Contracts, amended by statute No. 2018-79 of December 17, 2018-budget law for the fiscal year 2019. Implementation details can be found in Decree No. 2018-765/PRN/MJ of November 2, 2018.	Decree No. 2021-01 - Public-Private Partnership (PPP) Contracts	Statute No. 2021-034- Public-Private Partnership (PPP) Contracts.	DIRECTIVE No. 01/2022/CM/UEMOA - legal and institutional framework for Public-Private Partnership (PPP) in the West African Economic and Monetary Union (UEMOA)
Date of entry into force	24 October 2016 - Bénin	25 June 2021 - Burkina-Faso	-29 march 2018- Decree n°2018-358 -06 August 2009 Decree DECRET N° 2009-259	March 26, 2021	-30 december 2016- Decree n°2016-061/PM -9 February 2017- Decree N° 2017-0057/P-RM	05 June 2018	22 February 2021	31 december 2021	30 september 2022 -Dakar
Dispute Resolution - Procurement phase	<p>Article 74: Dispute Resolution</p> <p>Disputes arising from the selection procedures of the private partner in public-private partnership contracts are subject to non-judicial arbitration before the Procurement Regulatory Authority (ARMP).</p> <p>The appeal procedure shall be determined by the Procurement Regulatory Authority (ARMP).</p> <p>Decisions made by the Procurement Regulatory Authority by decree issued by the Council of Ministers.</p> <p>Only bidders who have been excluded from the selection procedure of the private partner in partnership contracts are authorized to appeal to the Public Procurement Regulatory Authority (ARMP) regarding disputes arising from the selection procedure of the private partner.</p> <p>The appeal must be submitted within fifteen (15) working days following the notification of the decision to select the private partner.</p> <p>The Public Procurement Regulatory Authority (ARMP) shall rule on disputes no later than thirty (30) working days from the date of submission.</p> <p>Disputes related to the award of the partnership contract can only result in compensation for the candidate(s) not selected.</p>	<p>Article 60: Dispute Resolution during the Procurement Phase</p> <p>Disputes arising from decisions made during the procurement procedures before the dispute resolution body of the Public Procurement Regulatory Authority. In the event that amicable resolution fails, the disputes are determined by the competent Procurement Regulatory Authority.</p> <p>Decisions made by the Procurement Regulatory Authority shall be established by decree issued by the Council of Ministers.</p> <p>In the event that amicable resolution of disputes in matters of public-private partnership contract fails, the disputes are determined by the competent Procurement Regulatory Authority.</p> <p>The Public Procurement Regulatory Authority (ARMP) shall rule on disputes no later than thirty (30) working days from the date of submission.</p> <p>Disputes related to the award of the partnership contract can only result in compensation for the candidate(s) not selected.</p>	<p>Article 33, paragraph 1: Disputes Resolution- Public-Private Partnership (PPP) procurement are governed by the provisions of this Code and 171 of the Public Procurement Code.</p> <p>Article 167: Exercise of Prior Remedies Bidders who believe they have been unjustly excluded from procedures governed by the provisions of this code may initiate a formal prior recourse against decisions that have caused them harm, before the authority responsible for the contested decision. The decision of this authority can be appealed to their higher hierarchical authority. A copy of this recourse is sent to the National Authority for the Regulation of Public Procurement. This recourse can be exercised by any appropriate means. It must be initiated within ten (10) working days from the publication or notification of the contested decision or event.</p> <p>Article 168: Appeal to the National Authority for the Regulation of Public Procurement 168-1: Decisions made in the preceding article may be subject to effective recourse to the Regulatory Authority within a period of five (05) working days from the notification or notification of the contested decision. In the absence of a decision by the authority responsible for the contested decision or the higher hierarchical authority, if applicable, within five (05) working days from the date of its submission, the request is considered dismissed. In this case, the applicant may approach the Regulatory Authority within the period mentioned in the previous paragraph. The recourse to the Regulatory Authority has the effect of suspending the procedure until a final decision is made. 168-2: The Regulatory Authority shall render its decision within ten (10) working days from the declaration of admissibility of the request, failing which the procedure is considered dismissed. In this case, the applicant may approach the Regulatory Authority within the period mentioned in the previous paragraph. The recourse to the Regulatory Authority can only serve to rectify the alleged violation or prevent further damage to the interests concerned.</p> <p>Article 170: Recourse to State Jurisdictions After exhausting non-judicial remedies, disputes relating to public procurement are submitted to the competent courts to hear administrative contract disputes.</p> <p>Article 171: Recourse to Arbitral Tribunals These disputes relating to public procurement may also be submitted to an arbitral tribunal in accordance with the conditions provided by the OHADA Uniform Act on Arbitration.</p>	No specific provision	<p>Article 38 of Decree No. 2016-061/PM: Resolution of Disputes Arising from Procurement</p> <p>I. In the event of non-compliance with the obligations of publicity and competitive bidding, candidates or bidders may initiate a grievance or hierarchical appeal with the contracting authority. II. In the absence of a resolution before the contracting authority, disputes shall be brought before the regulatory and dispute resolution body for public procurement contracts. III. Decisions made by the regulatory and dispute resolution body for public procurement contracts may be subject to a full contentious appeal in accordance with paragraph I of this article. IV. Procedures for the resolution of disputes in procurement matters are established by regulatory provisions.</p> <p>Article 29- Resolution of Disputes Arising from Procurement I. - Before any legal action, candidates or bidders who consider themselves harmed in the context of a public-private partnership procurement procedure must initiate a gracious or hierarchical recourse to the contracting authority. A copy of this recourse must be sent to the body responsible for the regulation and resolution of disputes in public procurement contracts. 1° The friendly recourse may be used for action against the decision to award or not award the contract, the conditions for publishing notices, rules regarding candidate selection, technical specifications, and evaluation criteria. The candidate or bidder must invoke a clear violation of public-private partnership regulations. 2° This recourse must be initiated within five (5) working days from the notification of the decision to reject candidates or bids, the publication of the tender notice, or the communication of the tender documents. It has the effect of suspending the award procedure until the final decision of the hierarchical contracting authority. 3° The decision of the contracting authority must be made within a period of five (5) working days after its submission. II. - Decisions made by the contracting authority may be subject to recourse to the body responsible for the regulation and resolution of disputes in public procurement contracts within a period of fifteen (15) working days from the date of submission, the recourse is deemed dismissed. In this case, the requester may approach the body responsible for the regulation and resolution of disputes in public procurement contracts within a period of five (5) working days from the notification of the decision of the body responsible for the regulation and resolution of disputes in public procurement contracts.</p>	<p>Article 51: Dispute Resolution in Partnership Contracts</p> <p>Disputes arising from the selection procedures for the project operator in partnership contracts shall be brought before the Public-Private Partnership Support Structure, which establishes the appeal procedure.</p> <p>Only bidding candidates who have been excluded from the project operator selection procedure in partnership contracts are authorized to submit a dispute to the Public-Private Partnership Support Structure.</p> <p>This submission must be made within fifteen days following the notification of the decision. The Public-Private Partnership Support Structure shall rule on disputes, no later than thirty days from the date of submission. Disputes related to the award of the partnership contract can only result in compensation for the candidate(s) not selected.</p>	<p>Article 50: Friendly Appeal</p> <p>Any candidate participating in a public-private partnership contract award procedure shall, prior to any contentious recourse, submit a friendly appeal to the contracting authority. This appeal should be made through the references of the contract procurement procedure and outlining the reasons for the complaint, sent by registered mail with acknowledgment of receipt or delivered with an acknowledgment of receipt.</p> <p>This appeal may concern, in particular, the decision to award or not award the contract, the conditions for publishing notices, the rules regarding candidate participation, required capacities, and guarantees, the procurement method and selection procedure chosen, compliance of the tender documents with regulations, the selected technical specifications, and evaluation criteria. It must clearly state the violation of the legislation and regulations regarding public-private partnership contracts.</p> <p>Article 51: Contentious Appeal In the absence of a favorable response to the friendly appeal, the petitioner may, according to procedures established by decree, bring the matter before the Dispute Resolution Committee.</p>	<p>Article 56: Friendly Appeal to the Contracting Authority</p> <p>Any candidate or bidder who believes they have been unjustly excluded from the procedures for awarding public-private partnership contracts may submit a recourse against the procedures and decisions made during the procurement process that caused them harm or grievance, to the contracting authority.</p> <p>This friendly appeal takes the form of a request sent by registered mail with acknowledgment of receipt or electronically and must include the name and address of the petitioner, the purpose of the request, a brief summary of the grounds for the appeal, and a list and submission of the documents the petitioner intends to present as evidence. The request is exempt from a stamp duty.</p> <p>A copy of this recourse is sent to the Public Procurement Regulatory Authority by the petitioner.</p> <p>This recourse has the effect of suspending the procedure until the contracting authority's final decision or, if applicable, that of the Public Procurement Regulatory Authority, in accordance with the provisions of Article 59 of this law.</p> <p>Article 59: Referral to the Public Procurement Regulatory Authority</p> <p>The decision rendered under Article 58 of this statute may be subject to an appeal before the Public Procurement Regulatory Authority within three (3) working days from the date of notification to the petitioner. In the absence of a decision by the contracting authority within the specified period in the last paragraph of the article 58, the petitioner may also refer the matter to the Public Procurement Regulatory Authority.</p> <p>This appeal can be exercised in the same manner and on the same grounds as provided in Article 57 of this statute. It is subject to the payment of registration fees, the amount of which is determined by decree in a council of ministers, after which the Public Procurement Regulatory Authority. Failure to pay these fees results in the inadmissibility of the appeal.</p> <p>The procedure before the Public Procurement Regulatory Authority respects the principles of adversarial, fairness, and transparency, according to the modalities defined by decree in a council of ministers.</p> <p>Upon receiving the appeal, the Public Procurement Regulatory Authority rules on its admissibility and the public-private partnership contract procurement procedure. At the request of the Public Procurement Regulatory Authority, the parties to the dispute are required to cooperate in the investigative measures by providing the necessary documents and evidence within the deadlines set by decree in a council of ministers, after which the Public Procurement Regulatory Authority can draw any consequences from failure or refusal.</p> <p>The Public Procurement Regulatory Authority issues its decision on the merits within seven (7) calendar days from the date of the close of the investigation, which cannot exceed one (1) month from the date of filing. The Public Procurement Regulatory Authority notifies the parties of a procedural timetable from the decision on the admissibility of the appeal. After the completion of the dossier's examination, the Public Procurement Regulatory Authority renders its decision on the merits. This decision is immediately enforceable and is notified to the petitioner and published on the public procurement portal.</p> <p>Article 61: Appeal against Decisions of the Public Procurement Regulatory Authority</p> <p>Decisions of the Public Procurement Regulatory Authority may be appealed by the contracting authority, the candidate, or the bidder within five (5) working days from the date of their notification or publication. The appeal does not suspend the execution of the decision except in the case of a stay of execution ordered by the court hearing the appeal.</p> <p>Decisions rendered by the dispute resolution committee of the Public Procurement Regulatory Authority, acting in a disputes formation, may be subject to an appeal before the competent court.</p> <p>A decision taken by the Public Procurement Regulatory Authority in a disciplinary formation may be subject to appeal before the administrative chamber of the supreme court. Regardless of the nature of the decision being challenged, the appeal is heard within one (1) month from the date of filing.</p> <p>In case of irregularities affecting the procurement procedure of a public-private partnership contract, the party claiming to have suffered harm may file a compensatory recourse for the actual damages incurred before the competent administrative jurisdiction, to the exclusion of any other recourse if it establishes that the irregularity is the direct cause of their exclusion.</p> <p>Article 63: Initiation of Proceedings by the Public Procurement Regulatory Authority</p> <p>Based on information collected in the course of its duties or any information provided by contracting authorities, candidates, bidders, or third parties, the Public Procurement Regulatory Authority may initiate proceedings and render decisions in accordance with the provisions of Article 60 of this law.</p>	<p>Article 44: Dispute Resolution in Procurement</p> <p>In the event of a violation of the regulations applicable to the procurement procedure, candidates and bidders can bring the matter to the authority responsible for the post-audit control of Public-Private Partnership procurement procedures and the regulation of such Public-Private Partnerships.</p> <p>Candidates and bidders can bring the matter to the authority responsible for the post-audit control of Public-Private Partnership procurement procedures and the regulation of such Public-Private Partnerships. Decisions of the authority responsible for the post-audit control of Public-Private Partnerships may be subject to appeals before the competent courts of the Member States.</p> <p>The authority responsible for the post-audit control of Public-Private Partnership procurement procedures and the regulation of such Public-Private Partnerships may also initiate proceedings on its own, particularly in cases of denunciation.</p> <p>The procedures for dispute resolution in procurement matters are determined by the Member States.</p>
Available Actions and Venues	<p>1- Dispute before the ARMP (Public-Private Partnership Procurement Regulatory Authority) before the dispute resolution body of the Public Procurement Regulatory Authority.</p> <p>2- Decision of the ARMP subject to judicial review for abuse of power.</p> <p>2- Action before the judicial competent courts.</p>	<p>1- Dispute before the ARMP (Public-Private Partnership Procurement Regulatory Authority) before the dispute resolution body of the Public Procurement Regulatory Authority.</p> <p>2- Action before the judicial competent courts.</p>	<p>- Formal Recourse before Contracting Authority</p> <p>- Hierarchical Recourse before Hierarchy of the Contracting Authority</p> <p>- Formal Recourse before National Authority for the Regulation of Public Procurement</p>	No specific provision	<p>- Friendly or Hierarchical Appeal to the Contracting Authority</p> <p>- Appeal to the Regulatory and Dispute Settlement Body for Public Procurement Contracts</p> <p>- Judicial Appeal</p>	<p>Recourse before the Public-Private Partnership Support Structure</p> <p>- Prior Friendly Appeal to the Contracting Officer</p> <p>- Action before the Dispute Resolution Committee</p>	<p>1st Level:</p> <p>- Friendly Appeal to the Contracting Authority</p> <p>- Action before the ARCCOP (Decision Subject to Appeal)</p> <p>Contentious Action:</p> <p>- Competent Judicial Authority</p> <p>- Administrative Chamber of the Supreme Court (Normative Decision)</p>		
Specificities	<p>Appeal against the decisions of the ARMP (Authority of Regulation of Dispute Resolution Body of the Public Procurement Regulatory Authority).</p> <p>- Contentious action before the competent courts</p>	<p>- Formal Recourse before Contracting Authority</p> <p>- Hierarchical Recourse before Hierarchy of the Contracting Authority</p> <p>- Recourse to the National Authority for the Regulation of Public Procurement</p>	No specific provision	<p>Before any contentious action, the party with interest must, submit a friendly or hierarchical appeal to the contracting authority (Article 29 of Decree No. 2017-0057/P-RM of February 9, 2017: Settlement of disputes arising from procurement).</p>	<p>Prior friendly appeal</p>	<p>- Friendly Appeal to the Contracting Authority;</p> <p>- the Public Procurement Regulatory Authority may initiate proceedings</p>	<p>The procedures for resolving disputes in procurement matters are determined by the Member States (Art. 44 para. 6)</p>		
Dispute Resolution - Contract Execution	<p>Article 75 - Before any legal action, the parties to the public-private partnership contract must attempt to resolve their disputes amicably. They may refer their dispute to either the Public Procurement Regulatory Authority (ARMP) or a mediator designated by mutual agreement of the parties. In case of failure of amicable settlement, disputes arising from the public-private partnership contract shall be determined by the competent national court or to an arbitration tribunal under the conditions provided by the Uniform Act on Arbitration of the Dispute Resolution Mechanism.</p>	<p>Article 61 - Disputes between the parties to the public-private partnership contract shall be resolved amicably before the Dispute Resolution Body of the Public Procurement Regulatory Authority. If the parties wish, they have the option to bring the dispute before the competent national court or to an arbitration tribunal under the conditions provided by the Uniform Act on Arbitration of the Dispute Resolution Mechanism.</p>	<p>Article 33, paragraph 2 - Any dispute between the contracting authority and the operator shall be resolved in accordance with dispute resolution mechanisms as agreed upon by the parties in the PPP contract.</p>	No specific provision	<p>Article 39: Dispute Resolution Arising from Execution</p> <p>The contract establishes the procedures for the prevention and resolution of disputes. Before initiating any legal action, the contracting authority or the private partner shall refer the matter to the regulatory and dispute resolution body for public procurement contracts for the purpose of conciliation. If the conciliation procedure fails, the dispute may be submitted to the competent national court or to an arbitration tribunal under the conditions provided by the Uniform Act of OHADA relating to arbitration, or to any other international arbitration, provided that an arbitration clause has been expressly included in the contract.</p>	<p>Article 52 - Disputes related to the execution or interpretation of partnership contracts fall under the jurisdiction of the Nigerian courts or arbitral bodies in the absence of an amicable resolution. Arbitration is conducted in accordance with the provisions of the arbitration clause contained in the partnership contract.</p>	<p>Article 52 - Any dispute arising from the execution and termination of the contract shall, prior to any legal action, be submitted to an attempt at amicable resolution by the Dispute Settlement Committee, initiated by the most diligent party. The Dispute Settlement Committee shall make a determination within a reasonable timeframe established by decree from the date of its submission. In the event of a failure to reach an amicable resolution of the dispute, the matter shall be resolved through arbitration and the parties, is enforceable. or through judicial means in accordance with contractual provisions. However, the attempt at amicable resolution by the Dispute Settlement Committee, as stipulated in the first paragraph of this article, is not required in cases where the dispute has already undergone an attempt at amicable resolution by an independent expert designated by the parties. In this case, the parties are, however, required to inform the Dispute Settlement Committee of the outcome of the attempt at amicable resolution prior to any arbitration or legal proceedings.</p>	<p>Article 64: Amicable Settlement and Mediation</p> <p>Parties to the public-private partnership contract shall, prior to any referral to the public procurement regulatory authority, seek an amicable resolution to their disputes related to the contract's execution. If the parties do not achieve an amicable resolution within fifteen (15) calendar days following the request for amicable resolution, the public procurement regulatory authority may be contacted at the initiative of either party. The public procurement regulatory authority has a period of fifteen (15) working days, which can be renewed once, from the date of its referral to attempt to reconcile the parties. The committee appoints a mediator from among its members. If mediation is successful, a record shall be drafted confirming the existence of an agreement based on a joint statement by the parties attesting to the conclusion of a settlement agreement, which they shall communicate to the dispute resolution committee. This record, signed by the mediator and the parties, is enforceable. In case of failure of mediation, the dispute shall be resolved through arbitration or judicial means in accordance with contractual stipulations. A record of failure shall be drawn up and signed by the mediator and the parties to the contract. Resorting to the public procurement regulatory authority or any other mediation or judicial body does not suspend the execution of the contract. Documents and information exchanged within the framework of the amicable resolution procedure are strictly confidential and may not be disclosed or produced before an arbitration or judicial authority, except by written agreement between the parties to the public-private partnership contract. The records referred to in this article may only be disclosed with the written agreement of the parties.</p> <p>Article 65: Contentious Recourse</p> <p>Without prejudice to legal provisions conferring jurisdiction on sectoral regulators to hear disputes arising from execution, any dispute that has not been settled amicably within fifteen (15) working days following the date of submission of the recourse to the public procurement regulatory authority, unless an extension is decided by the parties, shall be brought, in accordance with the law and the applicable contractual provisions, before arbitration bodies or the competent state courts.</p> <p>Article 66: Competent Jurisdiction</p> <p>The competent jurisdiction for the resolution of disputes related to the execution of public-private partnership contracts shall be as designated to the body of the contract. Arbitration is possible except for "contrats de gréance" and "régie intéressée" which fall under the exclusive competence of the competent court for administrative matters.</p> <p>Article 67: Ex Officio Referral to the Public Procurement Regulatory Authority</p> <p>Based on information gathered in the exercise of its duties or any information provided by contracting authorities, the expert body for public-private partnership contracts, sectoral regulatory authorities, candidates, bidders, or third parties, the public procurement regulatory authority may, on its own initiative, rule on the reported irregularities constituting the practices referred to and sanctioned in Chapter 2 of Title IX of this law but not constituting a contractual dispute. The decision rendered in accordance with this article may be subject to an appeal in accordance with the regime provided for in Article 61, paragraph 3 of this law. An appeal against the decision does not have the effect of suspending the execution of the contract.</p>	<p>Article 45: Dispute Resolution in Execution Matters</p> <p>Subject to contractual stipulations and national regulations, before any contentious action, the contracting authority or the holder may, within an amicable recourse framework, refer the matter to the authority responsible for the post-audit of Public-Private Partnership procurement procedures and the regulation of said Public-Private Partnerships, or any other authority designated by mutual agreement of the parties. In case of failure of the amicable recourse, the dispute may be submitted to the competent national jurisdiction, an arbitral tribunal in accordance with the provisions of the OHADA Uniform Act on Arbitration, any other international arbitration, or other alternative dispute resolution methods.</p>
Available actions and Venues	<p>1- Mandatory Attempt at Amicable Settlement before the ARMP or the Public Procurement Regulatory Authority designated by mutual agreement of the parties.</p> <p>2- Arbitral Jurisdictions -or Competent State Courts</p>	<p>1- Attempted Dispute Resolution before the Dispute Resolution Body of the Public Procurement Regulatory Authority.</p> <p>2- Legal Action before the Appropriate National Court or OHADA Arbitration or International Arbitration.</p>	<p>According to the agreement of the parties in the PPP contract</p>	No specific provision	<p>- Mandatory conciliation attempt before the body responsible for regulating and settling disputes in public procurement contracts.</p> <p>- Competent national court, or an arbitral tribunal/international arbitration.</p>	<p>- Nigerian courts or arbitral bodies, in the absence of an amicable settlement.</p> <p>- Attempt at amicable settlement before the Dispute Resolution Committee.</p> <p>- Arbitration or judicial recourse in accordance with contractual provisions.</p>	<p>- Amicable recourse and mediation before filing a complaint with the ARCCOP.</p> <p>- Attempt at conciliation by the ARCCOP.</p> <p>- In case of failure: arbitration or judicial proceedings in accordance with contractual provisions.</p> <p>Contentious recourse According to the agreement of the parties.</p>		
Specificities	<p>Attempt at amicable settlement before any legal action.</p>	<p>Mandatory attempt at Amicable Settlement</p>	<p>According to the agreement of the parties</p>	No specific provision	<p>Conciliation attempt mandatory</p>	<p>"The arbitration is conducted in accordance with the provisions of the arbitration clause contained in the partnership agreement (Article 52, paragraph 2)."</p> <p>"The attempt at amicable settlement by the Dispute Resolution Committee as provided for in the first paragraph of this article is not required in cases where the dispute has already been subject to an attempt at amicable settlement by an independent expert appointed by the parties (Article 52, paragraph 2)."</p>	<p>"The use of the public procurement regulatory authority or any other mediation or judicial body does not suspend the execution of the contract (Article 64, paragraph 6).</p> <p>"Arbitration is possible except for except for "contrats de gréance" and "régie intéressée", which fall under the exclusive competence of the competent court in administrative matters (Article 66, paragraph 2)."</p>		
PPP contract Law	<p>PPP contract is governed by the Republic of Benin law pursuant to Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>Article 59: The public-private partnership contract is governed by the law of the Republic of Burkina Faso. Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>Article 32: The PPP contract is governed by Ivorian law, unless otherwise stipulated in the contract.</p>	<p>PPP contract is governed by the Republic of Mali law pursuant to Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>PPP contract is Governed by the Republic of Mali law pursuant to Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>PPP contract is governed by the Republic of Niger law pursuant to Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>Article 53: Applicable Law The public-private partnership contract is subject to Senegalese law."</p>	<p>PPP contract is governed by the Republic of Togo law pursuant to Article 43 of DIRECTIVE No. 01/2022/CM/UEMOA establishing the legal and institutional framework for public-private partnerships in the West African Economic and Monetary Union.</p>	<p>Article 43: Applicable Law The law applicable to Public-Private Partnerships is that of the member state within whose territory it is executed.</p>