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ECOWAS HUMANITARIAN POLICY

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List of Acronyms

ACHPR	African Charter on Human and Peoples' Rights
ADB	African Development Bank
AIDS	Acquired Immune Deficiency Syndrome
CAP	Consolidated Appeal Process
CBOs	Community Based Organizations
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CIMIC	Civil Military Cooperation
CRC	Convention on the Rights of the Child
CSOs	Civil Society Organizations
DHSA	Department of Humanitarian and Social Affairs
DRR	Disaster Risk Reduction
DPRWG	Disaster Preparedness and Response Working Groups
ECHO	European Commission Humanitarian Aid Office
ECIMIC	ECOWAS Civil Military Cooperation
ECOWAS	Economic Community of West African States
EDGC	ECOWAS Gender Development Centre
EERT	ECOWAS Emergency Response Team
EHCOC	ECOWAS Humanitarian Code of Conduct
EHRF	ECOWAS Humanitarian Relief Fund
ESF	ECOWAS Standby Force
EU	European Union
HCS	Humanitarian Coordination System
HIV	Human Immunodeficiency Virus
HPC	Humanitarian Procurement Centres
IASC	Interagency Standing Committee
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IHL	International Humanitarian Law

ILO	International Labour Organisation
IOM	International Organisation for Migration
MDGs	Millennium Development Goals
M & E	Monitoring and Evaluation
MS	Member States
MIDWA	Migration Dialogue for West Africa
NADMO	National Disaster Management Organisation
NEMA	National Emergency Management Agency
NGOs	Non Governmental Organizations
NIMASA	Nigerian Maritime Administration and Safety Agency
OCHA	Office for the Coordination of Humanitarian Affairs
PSOs	Peace Support Operations
SGBV	Sexual and Gender Based Violence
SAR	Search and Rescue
TIP	Trafficking in Persons
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children’s Fund
UNOWA	United Nations Office for West Africa
WAHO	West African Health Organization
WARIPNET	West African Refugee and Internally Displaced Persons Network
WOTCLEF	Women Trafficking and Child Labour Eradication Foundation
WFP	World Food Programme

EXECUTIVE SUMMARY

The Economic Community of West African States (ECOWAS) was established to promote cooperation and development in economic, social and cultural activities, and to raise the standard of living of the people of the Member States. In line with the aspirations of the Vision 2020 of ECOWAS, the Member States undertook to safeguard and consolidate relations conducive to the maintenance of global peace, stability and security as we work towards the attainment of regional integration and development. ECOWAS recognizes that these objectives cannot be attained unless an atmosphere of sustainable peace and security prevails.

Among the impediments to the attainment of the objectives of ECOWAS are poverty and the incidence of natural or human-made disaster, which consequences include forced population displacement. The region is confronted with an increasing number of inter-connected and transnational challenges, which constitute obstacles to integration and development. More than 139 million people in the region live in extreme poverty, a population that is particularly vulnerable to the effects of widespread food insecurity, recurrent natural disasters, climate change, the global economic crisis and socio-political instability. About 800,000 people also require one form of protection or the other in the context in which in 2009, up to 50 per cent of the 290 million citizens of the West Africa region lived on less than \$1 per day.

Recent developments in the Region, particularly the political crisis in Côte d'Ivoire since the beginning of 2011 and the Tuareg insurgency in Mali (2012) underscore the need for concerted humanitarian action by ECOWAS and its Member States. For instance, despite efforts of the humanitarian community, approximately 500,000 internally displaced people (IDPs), 135,000 third-country nationals (TCNs) and 212,000 refugees still need humanitarian aid in Côte d'Ivoire and in the neighbouring countries, mainly in Ghana, Guinea, Liberia, Mali and Togo.

The effects and humanitarian consequences of natural and human-made disasters in West Africa are diverse and include population movements, destruction to property and key socio-economic infrastructures, flood-induced epidemics, food insecurity and malnutrition, and weakening of already fragile coping capacities.

The Member States of ECOWAS are committed to use their resources to prevent, contain and find durable solutions to the complex causes of forced movements in the region, whether natural or man-made. To protect human life and dignity, ECOWAS provides humanitarian aid to Member States concerned during and after a crisis. Responding to humanitarian needs in West Africa is challenging due to the region's diverse profile. Each disaster is complex and severe, and affects the population's coping capacities.

Despite recent efforts by humanitarian actors and Member States in the region, large scale epidemics and natural disasters which affected more than one million people in the region showed the limitations of response capacity. The collective humanitarian response in West Africa region has not been adequate. There are gaps in the architectural profile of humanitarian response. It is, therefore,

necessary to put in place an ECOWAS Humanitarian Policy to guide the delivery of humanitarian assistance in the region.

The ECOWAS Humanitarian Policy seeks to standardize the practice of humanitarian action in ECOWAS Member States by fostering a balanced linkage between Humanitarian Action, Human Security and Human Development throughout the ECOWAS space based on the principle of regional solidarity. The vision behind the Policy is the creation of a borderless, prosperous and cohesive region with the capacity to effectively prevent, mitigate, prepare for and limit the impact of conflicts and disasters on the citizens and residents of the West African region with a view to achieving human-centred development. The Policy focuses on four priority areas, namely, Conflict; Natural Disaster; Human-made Disaster; and Mixed-Migration and Refugee Protection.

The overall strategic objective guiding the ECOWAS Humanitarian Policy is the prediction, prevention and overall management of disasters and conflicts towards limitation or elimination of effects thereby preventing death, human suffering, and development losses; and enhancing the protection and social situations of all West African citizens and residents as basic conditions for regional integration, peace, security and development. The Policy aims at achieving seven strategic objectives.

1. Ensuring Appropriate Legal and Policy Frameworks for Preventing and Responding to Emergencies and Disasters.
2. Development and strengthening of Institutions for Managing Emergencies and Responding to humanitarian challenges.
3. Enhancing the capacities of Social Actors in responding to Humanitarian issues.
4. Ensuring Member States and Citizens Compliance with International Humanitarian Law as a means of preventing or mitigating conflict-related impacts on the civilian populace.
5. Promoting special measures for protection of vulnerable persons, especially women, children and physically challenged persons during emergency situations.
6. Maximizing the use of media and communication for highlighting humanitarian issues and as a strategic tool for emergency management.
7. Enhancing national and regional capacities for response to humanitarian concerns.

Planning and implementing durable solutions to affected populations must be carried out within a gender and human rights-based framework that gives primary consideration to the civil, economic, social and cultural rights of the displaced and affected populations. In order to consolidate current knowledge and fill in gaps, a review on cross-cutting issues is undertaken, covering gender considerations, HIV/AIDS, children, sexual and gender based violence in humanitarian interventions and civil military relations and civilian protection in armed conflict and disaster situations to ensure that they are mainstreamed into the Policy.

The Policy is guided by the core humanitarian principles like humanity, neutrality, independence, impartiality, accountability, and 'Do No Harm' as well as ECOWAS values and field experience in humanitarian action in the region, including solidarity, professionalism, responsibility, Free Movement and Equality of Treatment of Citizens, and sustainability. By this Policy, ECOWAS shall also develop an ECOWAS Humanitarian Code of Conduct (EHCO) for civilian humanitarian actors which shall be rights-based and represent a common operational approach for providing assistance to

those in need. The EHCOC shall complement diligent implementation of the Code of Conduct for Armed Forces and Security Services in West Africa.

ECOWAS shall align its strategic goals and activities with the Disaster Management Cycle that illustrates the ongoing process by which governments, businesses, and civil society plan for and reduce the impact of disasters, react during and immediately following a disaster, and take steps to recover after a disaster has occurred. It is intended that all the four phases of the disaster management cycle – prevention/mitigation; preparedness; response; and recovery will be operationalised at regional, national, sub-national and local levels.

To ensure the effective implementation of this Policy, ECOWAS shall forge dynamic partnership with humanitarian actors in the region. These humanitarian actors are recognized principally at four levels: Regional, National, Sub-National and Local levels. ECOWAS also recognizes Humanitarian Depot and Humanitarian Procurement Centres as part of the operational framework for the delivery of humanitarian assistance in the region.

The multi-dimensional and international character of disaster problems makes it impossible for any single actor to solve these problems in a sustainable manner outside an effective partnership framework and policy. Partnership at all levels is key to ensuring the sustainability of solutions to humanitarian challenges. In particular, local populations as the ‘first line’ of humanitarian response should not only be considered as beneficiaries of these programmes but they should also be consulted about their responses to emergency situations.

ECOWAS Development Partners are encouraged to support this Humanitarian Policy and put in place funding mechanisms to address the integrated humanitarian, peace and security and development needs of populations and countries affected by displacement in West Africa. The important role the UN system and donor community is playing in finding sustainable solutions is of paramount importance.

ECOWAS has established a Humanitarian Response Mechanism, Humanitarian Relief Fund (HRF) and Humanitarian Coordination System (HCS) under this Policy. The Humanitarian Response Mechanism and Relief Fund aim principally at strengthening humanitarian response capacity, through improved coordination and by ensuring predictable funding. It recognizes and reinforces the link and practice between disaster relief, rehabilitation and development (LRRD). The EHRF is part of the pooled funding elements of the ECOWAS, and is an important tool in the provision of a flexible and predictable resource that promotes greater effectiveness, efficiency, accountability and partnership.

Synergies will be sought with other Departments/Units of the ECOWAS Commission and related Policies (Gender, Child, Trafficking in Persons, Youth, Disaster Risk Reduction) with a view to building the humanitarian coordination leadership capacity of Member States and ECOWAS personnel. The Policy will be implemented collectively at regional, national, sub-national and local levels, with the facilitation of the Humanitarian and Social Affairs Directorate of ECOWAS Commission, and in close cooperation with all relevant humanitarian stakeholders, particularly UN Agencies, International Organisations, NGOs and donor support.

Within the West African humanitarian space, it is expected that all humanitarian actors abide by the provisions of this Policy.

CHAPTER I: INTRODUCTION

1.1 Humanitarian Issues in West Africa: Causes, effects, challenges, the way forward

1.1.1 The Concept

The concept, 'humanitarian', pertains to the practice of saving lives and alleviating the suffering of people in emergency situations. It is usually related to emergency response (also called humanitarian response) whether in the case of natural disaster or human-made disaster such as war, or other armed conflicts and disasters associated with human activities of a non-conflict nature, all of which arise as a result of the interaction of hazard and vulnerability. Humanitarian action, therefore, is a necessary concomitant or response to the occurrence of disasters – natural or human-made.

1.1.2 West Africa Humanitarian Context

Millions of people in the West Africa region suffer from the consequences of natural and human-made disasters. The World Bank's Global Hotspots Report indicates that West Africa is in the zone of the highest global risk of mortality. Natural disasters and internal wars remain the largest causes of refugee and IDP flows in West Africa region.

According to a UN report on West Africa, more than 139 million people in the region live in extreme poverty, a population that is particularly vulnerable to the effects of widespread food insecurity, recurrent natural disasters, climate change, the global economic crisis and socio-political instability. Estimates for the West Africa 2010 Consolidated Appeal Process (CAP) indicates that more than one million people live in flood-, drought- and epidemic-prone areas. Whereas in 2009, an estimated 5.9 million persons were food insecure and more than 290,000 children suffered from acute malnutrition, the 2011 Summary CAP indicates that the figures rose dramatically to about 10 million persons and one million children, respectively, in 2011.

About 800,000 people also require one form of protection or the other in the context in which in 2009, up to 50 per cent of the 290 million citizens of the West Africa region lived on less than \$1 per day.

A meningitis epidemic and a measles outbreak occurred in the first half of 2009, affecting a combined population of about 78,000 people across the region, but especially in Burkina Faso, Niger and Nigeria. Between June and September 2009, some 770,000 people were affected by floods and 193 casualties were reported. Senegal, Burkina Faso, Ghana, Sierra Leone and Benin were the most affected countries.

Recent developments in the Region, particularly the political crisis in Côte d'Ivoire since the beginning of 2011 and the Tuareg insurgency in Mali (2012) underscore the need for concerted humanitarian action by ECOWAS and its Member States. For instance, despite efforts of the humanitarian community, approximately 500,000 internally displaced people (IDPs), 135,000 third-country nationals (TCNs) and 212,000 refugees still need humanitarian aid in Côte d'Ivoire and in the neighbouring countries, mainly in Ghana, Guinea, Liberia, Mali and Togo.

To protect human life and dignity, ECOWAS provides humanitarian aid to Member States concerned during and after a crisis. Since the outbreak of civil war in Liberia in 1989, the protection of the civilian population in armed conflicts has been a central element of ECOWAS Peace Support

Operations to the region. In pursuance of the provision in the Revised Treaty, ECOWAS is already promoting International Humanitarian Law (IHL) in close cooperation with the International Committee of the Red Cross (ICRC), while working to improve its implementation in the West Africa region. However, over the years, ECOWAS humanitarian responses have been disparate and episodic, and lacking a policy framework to guide effective action. Humanitarian affairs in ECOWAS need to be appreciated as an integral part of the regional integration and development endeavour.

ECOWAS, as a conglomeration of states, is essentially the state *writ large* in functional terms and therefore is committed to the noble objective of promoting and protecting the collective good of the citizenry and residents at all times. This establishes an organic linkage between humanitarian action, security concerns and the development goals of ECOWAS as affirmed by the ECOWAS Protocol on the Mechanism for Conflict Prevention, Resolution and Management, Peace and Security, namely, that social and economic development and security of the people and Member States are interlinked.

In essence, whether the Member States intend to specifically address security issues, implement the ECOWAS Revised Treaty, its Protocol on Free Movement, Residence and Establishment in the context of the protection of persons affected by disaster i.e., IDPs, refugees, asylum seekers, stateless, and other vulnerable persons, and address refugee, IDP, returnee and development issues in West Africa region, the search for durable solutions to situations deriving from forced displacement due to natural disaster or conflict recommends a renewed and systematic focus on humanitarian response, which is under the purview of the Department of Humanitarian and Social Affairs within the Commission for Human Development and Gender.

1.1.3 Root Causes

As recognized in the ECOWAS Policy Document for Disaster Risk Reduction (DRR), disasters triggered by natural events have increased in occurrence and severity in the West Africa region, over the last few decades. Across the region, there are such significant ecological and environmental hazards as drought and desertification, deforestation, sea level rise and coastal wetlands degradation, flooding, erosion, and soil degradation. Others include diseases, pest (particularly locust invasions), invasive alien species, and wild-land fire. Large-scale seismic activity is rare but active fault areas experience earthquake swarms involving minor tremors.

Climate change factors are likely to worsen drought conditions and coastal erosion, change vegetation patterns, and increase tidal waves and storm surges, while lower and more variable rainfall levels over the last three to four decades have actually contributed to worsening desertification, natural resource degradation, coastal vulnerability and food insecurity. It is estimated that more than 10 million people across West Africa are facing severe hunger and malnutrition arising from drought, poor harvests and rising food prices, with the worst conditions in the Sahel zone, where Niger is at the centre of the crisis with more than seven million people, almost half the population, facing food insecurity. Huge populations in Mali, Burkina Faso and extreme north of Nigeria are also at risk.

Other hazards include inadequate physical infrastructures (transport, energy, and communication), industrial and chemical accidents and technological systems failure and inadequacies of service

delivery in such areas as education, health and nutrition, water and sanitation. Emerging threats which must be taken into consideration include threats of nuclear accidents, terrorism including cyber terrorism and oil spillage amongst others. These hazards affect a population that is already vulnerable due to mass poverty.

1.1.4 Effects

The effects and humanitarian consequences of natural and human-made disasters in West Africa are diverse and include population movements, destruction to property and key socio-economic infrastructures, flood-induced epidemics, food insecurity and malnutrition, and weakening of already fragile coping capacities. The recently published report in West Africa Insight titled *The Double Damage: Gender and Deforestation in West Africa*, describes the negative impact of women's domestic activities on the forest in the region, as well as the extent to which oil exploitation endangers Nigeria's Niger Delta Wetland.

The consequences of the June-September 2009 flood disasters on peoples' lives and livelihoods were enormous and had immediate and long-term effects. As torrential rains hit seven countries in the region - Côte d'Ivoire, Senegal, Ghana, Mali, Niger, Guinea and Burkina Faso, the flood affected houses, grain reserves, farms, roads and telecommunications, and at least 430,000 people lost their homes.

At the other extreme, rainfall deficits in parts of the Sahel led to harmful growing conditions for crops and poor pasture coverage in pastoral areas of Niger, Burkina Faso and Mali. As most of the populations' livelihoods are dependent on agriculture and related activities, damage inflicted on the agricultural sector by natural disaster has a serious impact on peoples' capacity to cope with the immediate aftermath of a disaster and more importantly, with the long-term impact. The cycle of floods and droughts also increasingly lessen the region's chances of survival.

High-risk environmental health conditions and poor hygiene practices continue to threaten populations and increase their vulnerability, especially when they are exposed to external shocks such as food price crisis. The region's stability is also threatened by trends such as trans-border criminal activities – from drug trafficking to terrorism. The result is that hundreds of thousands of households live under constant threats of tipping into acute vulnerability. For the past twenty years, civilians in West Africa have increasingly become victims of conflicts. Millions of affected people including IDPs, refugees and other vulnerable persons fled from violence from affected countries since the 1980s.

Under these conditions, it is unlikely, according to the UNDP, that the Millennium Development Goals (MDGs) will be achieved by 2015 in the region. By 2010, only Cape Verde had succeeded in achieving four goals out of eight.

1.1.5 Challenges

Responding to humanitarian needs in West Africa is challenging due to the region's diverse disaster profile. Each disaster is complex and severe, and affects the population's coping capacities. Despite recent efforts by humanitarian actors and Member States in the region, large scale epidemics and natural disasters which affected more than one million people in the region showed the limitations

of response capacity. The risk of medium- and large-scale emergencies in the region remains high in 2010, leaving the population vulnerable to many shocks.

Civil wars might have ended in Liberia, Sierra Leone and Cote d'Ivoire, but insecurity remains. In 2010, Guinea and Guinea-Bissau were two of the countries with fragile political situations. Since 2009, there have been many initiatives to develop mechanisms to consolidate the protection and assistance of those in an irregular situation, but the countries in the region are not yet adequately equipped to deal with irregular migration. Children still face a wide-range of protection risks, including child labour and sexual exploitation, sexual abuse and domestic violence, discrimination and rejection in emergency situations. Gender-based violence also remains a huge challenge in the region as systems to ensure basic protection are insufficient and victims' access to justice is severely hindered.

It is imperative that ECOWAS should be able to effectively address the contemporary problems that fall within the humanitarian corridor – such as concerns about children, gender, HIV/AIDS, Sexual and Gender Based Violence (SGBV), health, civilian population, water and sanitation, violence against aid workers, rights of asylum seekers and refugees in the context of mixed migration and trafficking in persons, in particular child trafficking, including helping sustainable return and reintegration of affected persons in West Africa, whenever a humanitarian challenge arises without prejudice to the intervention of humanitarian actors from outside the region.

One of the most problematic areas has been the issue of sexual exploitation and abuse of beneficiaries by humanitarian workers. In an emergency where victims have lost everything, women and girls have been particularly vulnerable to sexual abuse. The *problematique* of sexual exploitation of refugees in West Africa, highlighted by a number of reports on the matter, prodded the humanitarian community to work together in examining the problem and to take measures to prevent abuses.

Notwithstanding the setting up of disaster response institutions – inclusive of search and rescue (SAR) institutions such as NADMO in Ghana and NEMA, NIMASA, etc. in Nigeria, humanitarian response in many Member States remains ad hoc, episodic, and lacking a national procedure. Sub-national levels of government that advertise their readiness to offer humanitarian assistance to populations in distress all too often fail to do so while needy populations depend on hand-outs from NGOs and multinational corporations such as oil companies, which in turn advertise their hand-outs as demonstration of their corporate social responsibility to host communities. Even so, logistics problems persist in the management of emergency assistance and, by extension, humanitarian response, notwithstanding the promise of increasingly innovative approaches to emergency/humanitarian response. There is need for well defined services and procedure.

There is also the shocking reality that in the process of humanitarian response, the essential principles and values on which humanitarian aid are founded are not acknowledged or are simply ignored, notwithstanding that such universal principles as humanity, independence, neutrality and impartiality are the foundations of humanitarian aid.

From the foregoing review, enduring major challenges, which should constitute the focus of determinate humanitarian policy, include (i) non-existent or inappropriate legal and policy

frameworks for preventing and responding to emergencies and disasters in the region; (ii) undeveloped and weak institutions for managing emergencies and responding to humanitarian challenges; (iii) inadequate capacity of social actors in responding to humanitarian issues; (iv) the relatively low level of compliance of Member States of ECOWAS and Citizens with International Humanitarian Law (IHL), inclusive of humanitarian principles and values, as a means of preventing or mitigating conflict-related impacts on the civilian population; (v) absence of special measures for the protection of vulnerable persons, especially women and children, during emergency situations; (vi) relative neglect of the use of media and communication capabilities for highlighting humanitarian issues and for emergency management; and (v) inadequate regional capacities for timely and effective response to humanitarian concerns.

These underline the urgent necessity to develop a systematic framework for humanitarian response in the region.

1.1.6 The Way Forward

The priority axis for humanitarian action in West Africa should focus on responding to acute vulnerabilities and strengthening populations' resilience to risks as stated in the region's 2010 Consolidated Appeals Process (CAP). It has been recognized that the complexity, diversity and trans-national nature of crises affecting the region calls for further engagement in preparedness and response capacity building, and stronger engagement by humanitarian actors, Member States, regional organizations and non-humanitarian partners.

With respect to the challenge of irregular migration, the West Africa region has been traditionally a land of asylum and hospitality. The tradition of the integration of refugees into local communities in a number of Member States has been very successful. Refugees in Cote d'Ivoire and Guinea have not been accommodated in refugee camps. Within the framework of the ECOWAS Treaty and its Protocol on Free Movement, Residence and Establishment, the provisions in the Memorandum on Equality of Treatment of Refugees from Member States, it is essential that this tradition of hospitality and integration should be revitalized, preserved and pursued. Effective responsibility sharing among humanitarian actors in the region need to be agreed upon and adopted, as an essential undertaking in helping reduce the negative economic, social and ecological impact of displacement flows in West Africa.

Planning and implementing durable solutions to affected populations must be carried out within a gender and human rights-based framework. Thus, ECOWAS and Member States shall mainstream the following cross cutting issues into their humanitarian interventions: HIV/AIDS, children, sexual and gender based violence in humanitarian interventions and civil military relations and civilian protection in armed conflict and disaster situations.

ECOWAS funded humanitarian interventions shall be rights and needs-based, context specific and people-centred. Through this policy, ECOWAS will also contribute to the development of international humanitarian policy.

CHAPTER 2: VISION, MISSION, POLICY STATEMENT AND SCOPE

2.1 Vision

A borderless, prosperous and cohesive region with the capacity to effectively prevent, mitigate, prepare for and limit the impact of conflicts and disasters on the citizens and residents of the West African region with a view to achieving human centred development.

2.2 Mission

To establish a framework through which capacities can be enhanced at the regional, national, sub national and local levels for the alleviation of human suffering during and immediately after emergencies.

2.3 Policy Statement

The ECOWAS Humanitarian Policy seeks to standardize the practice of humanitarian action in Member States by fostering a balanced linkage between Humanitarian Action, Human Security and Human Development throughout the ECOWAS space based on the principle of regional solidarity.

2.4 Scope of the Policy

The Humanitarian Policy focuses on the following four priority areas: Conflict; Natural Disaster; Human-made Disaster; and Mixed-Migration and Refugee Protection. The Scope areas entail preparing for and adequately responding to any emergency situation involving refugees and internally displaced persons or other affected persons.

Conflict: This Policy seeks active cooperation amongst Member States, with a view to playing an increasingly effective and robust role in addressing issues of disaster impact resulting from conflict.

Natural Disaster The objective of the Humanitarian Policy is to prevent, mitigate and respond to disaster impact triggered by natural hazards, whether they are exacerbated by conflict or not. It complements the ECOWAS Risk Reduction Policy that focuses on reducing disaster risk through development interventions by looking at reducing risk as a development challenge.

Human-made Disaster is a threat having an element of human intent, negligence, or error, or involving a failure of a human-made system. Human-made disasters are disasters resulting from these factors. The ECOWAS region is confronted with an increasing number of inter-connected and transnational human-made challenges. Hence, the Humanitarian Policy focuses primarily on humanitarian impact in West Africa as a direct consequence of human-made disasters, with a view to preparing for and adequately responding to any emergency situation involving refugees and/ or internally displaced persons or other affected persons.

Mixed-Migration and Refugee Protection Since the outbreak of civil wars in the West African region, refugees and asylum seekers from the ECOWAS space account for an important portion of the global movement of ECOWAS people. They increasingly move from one country to another alongside other ECOWAS citizens who enjoy the freedom of movement, the right of residence and establishment and whose reasons for moving are different and not protection-related. It has become imperative for Member States and the West African Community to address this phenomenon in a

more coherent and comprehensive manner. States have assumed protection responsibilities for refugees under international instruments which it is in their collective interest to honour. The scope of the policy amongst others focuses on how best to improve intra-regional cooperation between Member States in the area of refugee protection and mixed migration, on the basis of ECOWAS free movement protocols and Common Approach on Migration, UNHCR's 10-Point Plan of Action and IOM's Migration Dialogue for West Africa (MIDWA), with a view to ensuring the protection of the rights of persons in need of international protection and humanitarian assistance, especially child trafficking in the context of mixed-movement .

CHAPTER 3: STRATEGIC OBJECTIVES

3.1 Overall Strategic Objective

The overall strategic objective guiding the ECOWAS Humanitarian Policy is the forecast, prevention and overall management of disasters and conflicts towards limitation or elimination of effects thereby preventing death, human suffering, and development losses; and enhancing the protection and social situations of all West African citizens and residents as basic conditions for regional integration, peace, security and development.

3.2 Strategic Objectives

The ECOWAS Humanitarian Policy aims at achieving the following seven strategic objectives.

1. Ensuring Appropriate Legal and Policy Frameworks for Preventing and Responding to Emergencies and Disasters.
2. Development and strengthening of Institutions for Managing Emergencies and Responding to humanitarian challenges.
3. Enhancing the capacities of Social Actors in responding to Humanitarian issues.
4. Ensuring Member States and Citizens Compliance with International Humanitarian Law as a means of preventing or mitigating conflict-related impacts on the civilian populace.
5. Promoting special measures for the protection of vulnerable persons especially women and children and physically challenged persons during emergency situations.
6. Maximizing the use of media and communication for highlighting humanitarian issues and as a tool for emergency management.
7. Enhancing national and regional capacities for response to humanitarian concerns.

The majority of the strategic objectives listed above relate to the development of capacity for effective humanitarian action in the region. Within the context of this Policy, 'capacity' refers to a combination of all the strengths and resources available within a community, society or organization that can be deployed to reduce the level of risk or the effect of a disaster. Such strengths and resources include physical, institutional, economic or social means as well as skilled personnel and leadership or management, the reinforcement and development of which constitute capacity building. Capacity building thus includes upgrading of institutional, financial, political, technological and other resources at different levels and sectors of the society.

Strategic Objective 1 Ensuring Appropriate Legal and Policy Frameworks for Preventing and Responding to Emergencies and Disasters

There is need for Member States to have a holistic legal framework predicated on human rights and International Humanitarian Law which clearly defines the parameters for the provision of assistance and protection of people during humanitarian crisis. This will greatly enhance the effectiveness of any humanitarian action and ensure, albeit indirectly that the goal of alleviating human suffering during complex emergencies is achieved. As a matter of utmost importance, such frameworks must also adequately capture gender issues.

Priority Measures

- a. Support for development of National Disaster Policies and Plans of Action to cover humanitarian affairs, inclusive of Disaster Risk Reduction and Emergency Management issues.
- b. Promoting Disaster Management legislation in Member States.
- c. Promoting core standards for the protection of civilians within the context of crisis and emergencies.
- d. Adapting and promoting standards and guidelines for the use of military assets in emergencies.

Strategic Objective 2 Development and Strengthening of Institutions for Managing Emergencies and Responding to humanitarian challenges

To enhance the capacity of ECOWAS Member States to respond to mass population displacement requires coherent and more comprehensive capacity building approaches that demand the adoption of regional capacity building strategy, development of emergency management tools and the establishment of regional and national emergency management mechanisms, towards professionalism and excellence at all levels of emergency management: (a) Institutional Preparedness; (b) Situational Preparedness (Early Warning and Contingency Planning); and (c) Situation Response (deployment and response).

Priority Measures

- a. Capacity Building for National Platforms on Humanitarian Affairs.
- b. Enhancing effective operationalization of Early Warning Systems for timely and effective response.
- c. Counter-disaster resourcing and effective utilization of resources, i.e., optimum utilization, functional requirements of resource organizations, management activation, graduated response, etc.
- d. Ensuring availability of disaster management support requirements, namely training, public awareness and research.
- e. Development of a disaster management handbook.

Strategic Objective 3 Enhancing the capacities of Social Actors in responding to Humanitarian issues

Social actors provide assistance to people in emergency situations. Very often in the West African region, these humanitarian actors and institutions operate at cross purposes, characterized by duplication and overlapping activities. In addition, information systems of member countries are not geared towards generating, analyzing and disseminating information on disasters. Another issue is, education and training systems in the region do not incorporate instruction in disaster risk reduction while research and analysis of risk behavior in the sub-region is relatively lacking.

Any attempts to improve their capacities should, therefore, include not only measures that will improve coordination at the regional, national, and local levels but also awareness raising activities – through training and information dissemination aimed at sensitizing individual citizens and communities at various stages of the risk management process .

Priority Measures

- a. Building leadership for humanitarian affairs issues.
- b. Developing a local volunteer corps in all Member States as a part of existing capacity to provide a first line response and strengthen local preparedness.
- c. Ensure the use of Local Vulnerability and Capacity Assessments as a means of strengthening community resilience against disasters.
- d. Integration of emergency awareness into schooling programmes and curricula and promoting emergency management training at post graduate level.

Strategic Objective 4 Ensuring Member States and Citizens Compliance with International Humanitarian Law as a means of preventing or mitigating conflict related impacts on the civilian populace.

Efforts to prevent or minimize displacement include a set of strategies and activities that seek to strengthen the rule of law as well as to prevent and respond to violations of human rights and humanitarian law. This entails strong commitment of Member States to ensure respect for and compliance with humanitarian law by all parties to a conflict, including in particular provisions relating to the protection of civilians, advocacy by relevant authorities and in times of armed conflict with parties to a conflict, to respect and ensure respect for human rights and humanitarian principles as outlined in the relevant bodies of international humanitarian law.

Priority Measures

- a. Adopt a Regional Plan of Action on Implementation of International Laws.
- b. Ensure establishment of National Committees on international Humanitarian Laws.
- c. Ensure the designation of National Focal Points for reporting progress achieved in ensuring compliance with International Humanitarian Laws in Member States.
- d. Capacity building for National Commissions, including on legislative drafting, mainstreaming IHL into training curricula and operational policies and guidelines, advocacy to parliamentarians, etc.

- e. Ensuring reporting and monitoring and evaluation of progress recorded in implementation of the Plan of Action.

Strategic Objective 5 Promoting special measures for protection of vulnerable persons, especially women, children and physically challenged persons, during emergency situations

In most emergency situations, women and children, like the aged are the primary victims and directly bear the brunt of the incidence of disaster. Persons suffering from disability are also especially vulnerable in both situations of conflict and natural disasters. Sexual and Gender-based violence is widespread in emergency situations and presents a programming challenge for humanitarian actors. Children need to be protected from abuse, negligence, violence, trafficking and exploitation, while their rights to special assistance measures need to be guaranteed. In conflict situations in West Africa, women and children have been recruited as soldiers, and have also become refugees who receive severe maltreatment. Considering their vulnerability which combines external issues of risks, shocks and stress and their limited internal capacity to cope with the threat to personal safety and livelihoods, it is a necessary policy imperative that special measures be designed and instituted for the protection of women and children during emergency situations.

Priority Measures

- a. Ensuring domestication and implementation of appropriate International Instruments related to minimum age for recruitment into armed forces and prohibitions against the use of children in armed conflicts.
- b. Ensuring domestication and implementation of relevant international instruments relating to the prohibition of discrimination based on disability.
- c. Establishing monitoring mechanisms to prevent and respond to child protection and gender issues as might arise in humanitarian situations.
- d. Ensuring speedy and effective registration and tracking of the movement of women and children affected by emergencies.
- e. Providing services in line with the specific needs of women, children and other vulnerable groups in humanitarian situations.
- f. Providing regular training in gender and child protection for all humanitarian response officials.
- g. Integrating vulnerability analysis, including gender into emergency planning right from the onset.
- h. Establishing Ombudsman for the protection of children, especially in emergency situations.

Strategic Objective 6: Maximizing the use of media and communication for highlighting humanitarian issues and as a strategic tool for emergency management

The humanitarian space in West Africa is defined by a diversity of actors including the ECOWAS and its Member States, UN agencies, multi and bilateral agencies – governmental and non-governmental, NGOs and CSOs, multinational corporations, the armed and security forces, and the citizens and the other residents affected by the disaster, among others. Managing the relationships among the actors requires a clear and comprehensive communication system. To be successful, humanitarian response

agencies need to be well informed about the emergency situations they seek to respond to and also to be able to communicate well in the humanitarian space. This underlines the central importance of the use of media and communication for highlighting humanitarian issues and as a tool for emergency management. The Policy challenge is that enlisting the use of media and communication capabilities involves not only infrastructure and tools but also policies, people, and organizational (coordination) environments, all of which have to be managed to good effect.

Priority Measures

- a. Adopting national communication policies for emergency management.
- b. Instituting and carrying out training and sensitization programmes on humanitarian issues for media organizations.
- c. Advocacy for the establishment/ reactivation of networks of journalists in all Member States for emergency management.
- d. Ensuring collaboration with the media and specialized groups to hold sensitization and promotion events for public safety in the areas of engineering, industry, transport and aviation and infrastructure.
- e. Ensuring the integration of the media into regional and national early warning systems to ensure effective coverage of Humanitarian issues.
- f. Ensuring collaboration with the media to ensure translation of technical report findings on humanitarian issues into popular versions for public consumption.

Strategic Objective 7: Enhancing national and regional capacities for response to humanitarian concerns

The significant progress toward the resolution of a number of forced displacement situations in the West Africa region in recent years embodied in ECOWAS' initiatives in affected Member States shows that a concerted regional approach can be of utmost efficacy in the search for solutions to forced population displacement in the region. Accordingly, for more effectiveness and increased efficiency in responding to humanitarian concerns, regional capacities need to be enhanced. But effective and efficient regional capacities necessarily have to be built on national capacity (capability) of Member States themselves. It is widely acknowledged that the country level is the epicenter of capacity development such that multi-level partner arrangements to support capacity development have to be focused at this level.

Priority Measures

- a. Establish Regional Disaster Relief Fund.
- b. Establish a Regional Disaster Observatory System in collaboration with the DRR Division to build a 'hazards profile' for the region and its MS, constant update of the profile and integration into policy development and review in MS and contingency planning.
- c. Establish a Regional Center of Excellence to anchor a comprehensive capacity building programme for training humanitarian affairs personnel and also conduct research, evaluation and other activities designed to enhance preparedness capacity.

- d. Development of the ECOWAS Emergency Response Team as a critical operational facility for the delivery of emergency relief assistance, and incorporating lessons learned in future capacity building strategies.
- e. Establishment of ECOWAS Humanitarian logistics Depot.

CHAPTER 4: HUMANITARIAN PRINCIPLES AND CODE OF CONDUCT

4.1 Humanitarian principles

Based largely on IHL and the work of ICRC, humanitarian response has been guided by certain principles and standards of conduct revolving around the concern that agencies that provide humanitarian assistance should not take advantage of the vulnerabilities of those affected by emergency situations, natural or man-made. Humanitarian principles are mainly focused on and apply to the behavior and activities of organizations and underline the need for humanitarian code of conduct. It is the responsibility of agencies to develop rules of staff conduct which prevent abuse of beneficiaries.

The core humanitarian principles include humanity, neutrality, independence and impartiality. These principles are not primarily moral values; they are a means to ensure access to needy populations in emergency situations. Particularly in conflict situations, their breach may drastically affect the ability of humanitarian actors to respond to the needs of affected persons.

4.2 Core humanitarian principles

Humanity

The principle of humanity means that humankind shall be treated humanely in all circumstances by saving lives and alleviating suffering, while ensuring respect for the individual. It is the fundamental principle of humanitarian response.

The *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (RC/NGO Code)* introduces the concept of the humanitarian imperative which expands the principle of humanity to include the right to receive and to give humanitarian assistance. It states the obligation of the international community “to provide humanitarian assistance wherever it is needed.”

Impartiality

Provision of humanitarian assistance must be impartial and not based on nationality, race, religion, or political point of view. It must be based on human rights and needs.

Independence

At the global level, the principle of independence implies that humanitarian agencies formulate and implement their own policies independently of government policies or actions. However, within the West African humanitarian space, it is expected that all humanitarian agencies abide by the provisions of this Policy.

The aforementioned core principles are defining characteristics and necessary conditions for humanitarian response. Consequently, organizations such as military forces and profit-making organisations that deliver assistance to communities affected by disaster in order to save lives and alleviate suffering are not considered as humanitarian agencies because their response is not based on the core principles.

4.3 Additional humanitarian principles

In addition to the core principles, there are other principles that govern humanitarian response for specific types of humanitarian agencies such as UN agencies, the Red Cross and Red Crescent Movement, and NGOs. Also, the specific environment of delivery of humanitarian assistance often recommends context-specific principles important for effective operations. For example, the enduring crisis in the Middle East and its humanitarian consequences has challenged ICRC to add the Principle of Perseverance meaning that despite very difficult circumstances, humanitarian agencies should continue to alleviate the suffering of the population.

Neutrality

The United Nations General Assembly Resolution 46/182 lists the principle of neutrality, alongside the principles of humanity and impartiality in its annex as a guide to the provision of humanitarian assistance. The resolution is designed to strengthen the humanitarian response of the UN system, and it clearly applies to the UN agencies.

Neutrality can also apply to humanitarian actions of a state. Neutrality remains closely linked with the definition which introduced the concept into international law to designate the status of a State which decided to stand apart from an armed conflict. Consequently, its applications under positive law still depend on the criteria of abstention and impartiality which have characterized neutrality from the outset.

The word neutrality is widely used within the humanitarian community, usually to mean the provision of humanitarian aid in an impartial and independent manner, based on need alone.

Do No Harm

This principle developed in the 1990s, derives from the expression, *Primum non nocere*, Latin for 'First, do no harm'. It reflects new thinking in the world of humanitarian action, which challenges humanitarian actors to look closely at their work, ask fundamental questions about methods, and perhaps even reorganize procedures for delivering humanitarian assistance to ensure that they 'do no harm' or at any rate, minimize the harm they might inadvertently do simply by being present and in the process of providing assistance. This is because humanitarian assistance can become part of the dynamics of conflict and may even prolong it or, in fact, exacerbate the root causes.

Humanitarian actors operating in the ECOWAS region need to be aware of this and take necessary steps to avoid or minimize potential harm, and rather provide assistance in ways that support recovery and sustainable development.

4.4 Principles Deriving from ECOWAS values and Field Experience in emergencies

Based on the values embodied in the ECOWAS Revised Treaty, widespread field experience of agencies engaged in humanitarian response in West Africa, and the desire to provide overall guiding ethics for the behaviours and activities of all humanitarian actors in the entire spectrum of the humanitarian space operating, off-field and on-field in the region, ECOWAS further commits itself to the following principles on which this Policy intends to build.

- **Solidarity** Recognising that solidarity is an essential principle of ECOWAS development objectives and cognizant of the integral linkage of humanitarian affairs with development objectives, humanitarian response should be informed by such values as unity, shared aims and Community spirit.
- **Professionalism** Humanitarian actors on- or off-field, should be committed to professional excellence, that is, uncompromising commitment to the highest level of ethical standards and corporate governance values and compliance with global best practices in professional pursuit in the humanitarian field, which embodies training for excellence.
- **Accountability** This refers to the process by which humanitarian actors make a commitment to respond to and balance the needs of stakeholders in their decision making processes and activities and deliver against this commitment. Humanitarian accountability involves four major stakeholders: the beneficiaries; the national/local authority; the donor community and the aid agency. International aid agencies shall hold themselves accountable to both the beneficiaries and the donors. The ECOWAS Commission and Member States shall be accountable to both the beneficiaries and donors. Accountability, especially to affected populations, is a critical driver of performance in humanitarian response.
- **Responsibility** Humanitarian actors have responsibility – in legal (based on IHL) and managerial (including staff, funds and contracts) terms, as well as in the obligation of means and obligation of results. In respect of the latter (obligations), humanitarian actors shall have responsibility to support affected populations in the most appropriate way and aim at having the best possible impact. This acknowledges the recognition of the appropriateness, effectiveness and efficiency of humanitarian programmes, especially from the perspective of beneficiaries.
- **Sensitivity** Humanitarian actors should use information activities to portray victims as dignified human beings, not hopeless objects. In particular, humanitarian actors should operate with respect for local cultural norms and idioms in the humanitarian field. To achieve respect for culture and custom, the participation of the beneficiaries in decision making should be encouraged.
- **Free Movement and Equality of Treatment of Citizens** Refugees and other ECOWAS Citizens of the region should not suffer any restriction in movement on account of their status in an emergency situation.
- **Sustainability** Emergency response should be institutionalized and strive to reduce future vulnerabilities – avoid recurrent displacement movements and relapse, and account for gender and inter-generational equity in the process. It should also ensure ownership by recipients of humanitarian assistance. It shall be an institutionalized practice for humanitarian agencies operating in the region to integrate development principles into their vision of humanitarian response.

4.5 Compliance

Despite many efforts, little has been done in the humanitarian sector to monitor compliance with humanitarian principles. ECOWAS and Member States shall put in place structures to monitor compliance by humanitarian actors with the Humanitarian Principles and ECOWAS values.

ECOWAS strongly subscribes to these universal humanitarian principles and encourages humanitarian agencies to apply them.

4.6 Humanitarian Code of Conduct

ECOWAS shall develop an ECOWAS Humanitarian Code of Conduct (EHCOC) for civilian humanitarian actors based on principles which are derived from both the universal humanitarian principles and those principles adopted as foundations of this Policy. The EHCOC shall be rights-based and the expression of a common operational approach for providing assistance to those in need, based on the strongly cherished humanitarian principles documented in this Policy and IHL.

The EHCOC shall complement diligent implementation of the Code of Conduct for Armed Forces and Security Services in West Africa which expresses the determination of ECOWAS to, *inter alia*, overcome the legacy of difficult and ineffective interactions between civilians and the Armed Forces and Security Services, especially in conflict situations.

CHAPTER 5: DISASTER MANAGEMENT

5.1 Disaster Management Cycle

The basic format of the disaster management cycle (Annex 2) consists of four phases: Prevention/Mitigation and Preparedness in the pre-disaster stage, and Response and Rehabilitation/Reconstruction in the post-disaster stage.

- Prevention/Mitigation –Preventing and minimizing the effects of disaster.
Examples: building codes and zoning; vulnerability analyses; public education.
- Preparedness - Planning how to respond.
Examples: preparedness plans; emergency exercises/training; warning systems.
- Response - Efforts to minimize the hazards created by a disaster.
Examples: search and rescue; emergency relief.
- Rehabilitation/Reconstruction - Returning the community to normal.
Examples: temporary housing; grants; medical care.

The four disaster management phases here do not always, or even generally, occur in isolation or in this precise order. Often, phases of the cycle overlap and the length of each phase greatly depends on the severity of the disaster.

An alternative format which is sometimes used shows the main components in the form of activity segments with the outer segments being Preparedness, Response and Recovery.

ECOWAS shall align its strategic goals and activities with the cycle in Annex 2 that illustrates the ongoing process by which governments, businesses, and civil society plan for and reduce the impact of disasters, react during and immediately following a disaster, and take steps to recover after a disaster has occurred. Appropriate actions at all points in the cycle will lead to greater preparedness, better warnings, reduced vulnerability or the prevention of disasters during the next repetition of the cycle. The complete disaster management cycle includes the shaping of public policies and plans that either modify the causes of disasters or mitigate their effects on people, property, and infrastructure.

All the four phases of the disaster management cycle shall be operationalized at the regional, national, sub-national and local levels.

5.2 Humanitarian Action

During an emergency, humanitarian agencies are often called upon to deal with immediate response and recovery. To be able to respond effectively, these agencies must have experienced leaders, trained personnel, adequate transport and logistic support, appropriate communications, and guidelines for working in emergencies. If the necessary preparations have not been made, the humanitarian agencies will not be able to meet the immediate needs of the people.

ECOWAS shall promote leadership development, logistics support, appropriate communication and coordination.

CHAPTER 6: HUMANITARIAN ACTORS AND STAKEHOLDERS

ECOWAS shall forge effective partnership with humanitarian actors at both local and regional levels. This Policy recognizes the range of humanitarian actors principally at four levels: Regional, National; Sub-National; and Local. ECOWAS also recognizes Humanitarian Depot and Humanitarian Procurement Centres as part of the operational framework for the delivery of humanitarian assistance in the region.

ECOWAS shall ensure the necessary legal and strategic frameworks to enable the mainstreaming and inter-ministerial and inter-sectoral coordination, including ensuring that parallel interventions at national, sub-national and local levels are mutually reinforcing. Considering the complexity of the West African humanitarian field, diversity in humanitarian actors should be an asset given the respective comparative advantages in responding to specific situations and needs, providing they operate in a complementary manner.

ECOWAS shall partner with the international humanitarian partners but also enlist partnership of private, profit-making entities in disaster responses. For example, high-tech companies could apply their advanced technologies in emergency settings, while private security firms could offer services to humanitarian relief workers and governments as is the current trend.

A Model Partnership Agreement shall be developed to guide partnership with international humanitarian actors.

6.1 Regional Level

Currently, ECOWAS provides humanitarian aid to Member States concerned during and after a crisis through the agency of the Directorate of Humanitarian and Social Affairs (DHSA) within the Department for Human Development and Gender.

A key tool of ECOWAS humanitarian response is the ECOWAS Emergency Response Team (EERT), which is designed as a civilian tool to complement Peace Support Operations and Emergency Response Mechanisms in West Africa. The members of the EERT located *in situ*, in Member States, will be drawn from National NGOs and staff of relevant government Ministries such as Foreign Affairs, Internal Affairs and Defense etc. of ECOWAS Member States. The EERT members will be deployable alone on ECOWAS missions or in concert with other humanitarian partners and stakeholders. The ECOWAS Commission shall also develop and maintain coordination mechanisms for relevant ECOWAS Directorates towards effective implementation of the Policy.

ECOWAS shall develop specific programmes in response to changing humanitarian circumstances in the region.

The main focus of ECOWAS shall also be the development of interventions aimed at strengthening the regional capacity for disaster management. In this context, ECOWAS shall support the development of regional networking of national platforms for disaster management, promote the expansion of the various early warning systems in operation and facilitate their coordination and harmonization. ECOWAS shall work in close collaboration with international partners in supporting the development of Humanitarian Affairs capacities within Member States and in coordinating to ensure effective response to emergencies. ECOWAS shall also support public awareness creation and advocacy as well as developing regional disaster response capabilities based on the ECOWAS Emergency Response Team and the ECOWAS Standby Force.

6.2 National Level

Awareness as to the importance of disaster risk reduction, as a basic component of disaster management, is gaining momentum. As a result, many Member States are strengthening institutions to manage disaster and establish early warning systems. Member States would be encouraged not only to integrate disaster risk reduction in their development planning, policies and implementation but also to establish and make operational institutions in charge of disaster management. In addition, Member States will be required to undertake measures within the context of disaster risk management based on sound risk analysis. Activities that will be included in this regard are the development and enhancement of disaster preparedness policy and strategy, institutional structure, warning and forecasting capabilities and plans geared to help the people in times of emergency. Member States shall also be encouraged to establish platforms as mechanisms for the effectiveness and efficiency in emergency/disaster response for coordination and policy guidance on disaster risk reduction.

ECOWAS shall ensure the development of National Platforms in close collaboration with its Disaster Risk Reduction and Emergency Response Programmes. The membership shall be as stated in the ECOWAS Guidelines for the establishment of National Platforms.

6.3 Sub-National Level

Sub-national actors are those at governmental levels below the national level of government – States/Districts and local authorities. These actors are engaged when local actors cannot successfully address a disaster.

This level of actors has a much more hands-on approach than national level actors. Actors at state levels should delegate the first response duties to local levels, and should maintain the role of coordination and support of all emergency and relief activities. Ideally, state level actors should link the local actors to the appropriate aid sources as well as with other localities and private organizations for support. At the state level, two vital factors need to be utilized to address disaster mitigation, response and recovery – regulations of existing laws and coordination.

Accordingly, Member States shall promote the establishment of sub-national platforms similar to national platforms.

6.4 Local Level

Citizens at the local level play an active and important role before, during and after major emergencies and disasters. In order for the people to meet these challenges, they will be trained to develop an awareness of the possibility of hazard occurrence as well as measures that need to reduce vulnerability by reinforcing local community skills, organizational systems and abilities as well as offering incentives to reducing risks. Since members of the local populations are always the first to respond to disasters, offering education and training in preparedness measures, basic training techniques, and first aid and emergency treatment is an important component of the disaster management. Local authorities will be required to establish disaster volunteer groups to provide the require assistance during disasters.

ECOWAS shall partner with and encourage and support local populations to take responsibility for their resilience and build their capacities (operational, technical and financial) to respond to

disasters and emergencies. Active participation local populations in capacity building for humanitarian response will also encourage interest in Locally Based Risk Management.

Overall, Humanitarian Space consensus shall be established to defend the principles of humanitarian intervention and the rights of the victims. It will focus on ways of enabling humanitarian actors to carry out their work within the region, assisting affected citizens who rely on humanitarian aid. All parties involved shall stick to the fundamentals and core humanitarian mandates. They should respect the distinct and separate roles of the humanitarian actors involved, comply with international rules, abide by the principles of International Humanitarian Law and defend the humanitarian space.

6.5 Regional Coordination System

The large number of humanitarian actors operating in West Africa necessitates effective and efficient coordination to achieve the objectives of this Policy. ECOWAS will establish a Humanitarian Coordination System (HCS) comprised of humanitarian actors/partners that will lead, guide, monitor and evaluate the process of delivering effective humanitarian assistance in the region. The HCS, comprising the underlisted humanitarian actors, partners and/or institutions, shall be led by the President of the Commission in consultation with their respective Ministerial Committees.

- Commissioners
- Heads of Institutions
- ECOWAS Directorates
- National Platforms
- Humanitarian Partners
- Civil Society Organizations

The relationships between the actors listed above are as presented in Annex 3.

CHAPTER 7: HUMANITARIAN PROCUREMENT CENTERS

A special response tool within the humanitarian framework is Humanitarian Procurement Centres (HPCs). HPCs are non-profit making organisations that specialize in the technical and commercial management of supplies and services necessary for the implementation of humanitarian actions.

HPCs can be autonomous organisations with legal personality established on the basis of specific national legislation or specialized procurement and logistical departments of International organisations offering supply chain management related services to other humanitarian organisations ensuring equal treatment and no discrimination. From their service perspective, HPCs can be: *Stockholding* – hold stocks of supplies which they can make directly available to Partners; *Non-stockholding* – do not hold stocks but purchase the supplies on behalf of the client, and *Service providing* – may also offer consultancy services regarding procurement. HPCs are important because Humanitarian Depots often do not stock all supplies necessary for humanitarian response.

DHSA shall embrace the concept of HPCs as part of the wider objective of offering safer and more efficient procurement, to develop further and to facilitate humanitarian organisations' recourse to their services. EU (ECHO) experience indicates that resort to HPCs has the advantage that procurement procedures can be greatly simplified.

By this Policy, the DHSA shall assess entities wishing to be recognised as HPC in accordance with the procedure established in the relevant Framework Partnership Agreement and in the Procurement Guidelines, which shall be developed. Only the assessment by the ECOWAS Commission shall bear effects for the purposes of these rules. The assessment of HPCs shall take place on the basis of a questionnaire, which may be followed by on-site verification and audit that shall facilitate an in-depth analysis of the functioning of the applicant. There shall be no contractual relation between DHSA and the HPC.

The Commission and Member States commit to procure items (food and non-food items and equipment) with a priority of acquisition within the region; required for humanitarian assistance and to facilitate timely movement and delivery, from the point or country of origin to the appropriate destination or Member State.

CHAPTER 8: ECOWAS HUMANITARIAN RELIEF FUND

8.1 Establishment and Objectives

This Policy hereby establishes the ECOWAS Humanitarian Relief Fund (EHRF). The core objectives of the EHRF are:

- To contribute to more timely and predictable emergency financing;
- To enable prompt response to disaster impact caused by new or rapidly deteriorating crises; and
- To strengthen the leadership role of ECOWAS in responding to emergency situations.

8.2 Principle

The principle of the ECOWAS Humanitarian Relief Fund (EHRF) is based on the fundamental humanitarian principles of humanity, solidarity, neutrality, impartiality and independence.

8.3 Scope

The scope of the EHRF covers situations within the Disaster Management Cycle (Prevention; Mitigation; Preparedness; Response; Recovery/Rehabilitation) and targets the following individual situations or different categories of crisis.

- Natural disasters.
- Human-made disasters/Conflicts.
- Structural and other types of crises
- Complex Emergency/Disaster.

8.4 Sources of Financing

The Fund shall be financed from multiple sources as follows:

- (i) Solidarity Fund (SF).
- (ii) ECOWAS Budget; and
- (iii) Donor funding.

8.5 Administration of the Fund

Under the supervision of the President of the Commission, the Commissioner for Human Development and Gender shall administer the EHRF, supported by the Director of Humanitarian and Social Affairs.

8.6 Location of the Fund

The EHRF shall be located within the Department of Administration and Finance (CAF) of the ECOWAS Commission.

8.7 Operational Modalities of the Fund

The EHRF Operational Modalities shall be defined in the ECOWAS Humanitarian Response Mechanism.

CHAPTER 9: POLICY REVIEW

9.1 Policy Review

An effective policy is based on relevance and accuracy of information. To ensure that the Policy stays current and relevant, the Directorate of Humanitarian and Social Affairs, under the Commissioner for Human Development and Gender shall schedule regular policy reviews and make adjustments and changes as a result of those reviews. Because Policy change often has legal implications, the process should include documentation indicating that changes have occurred, why they happened and who approved them.

The Policy review aims to do the following.

- ◆ **Measure** progress made in achieving the objectives of the Humanitarian Policy and report to Member States.
- ◆ **Determine** whether or not the Strategic objectives have been met.
- ◆ **Update** the Strategic Plan of Action.
- ◆ **Review** the priorities of the humanitarian response activities and projects.
- ◆ **Evaluate** the funding system.
- ◆ **Mount advocacy** for Member States' support for better implementation of the Policy.

The basis for this Policy review is the mandatory requirement to regularly assess humanitarian aid operations financed by ECOWAS, in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent disaster response operations.

Review of the Policy shall be initiated at the instance of the ECOWAS Commission or Member States as at when necessary.

Annex 1

Major Normative Instruments

The establishment of the United Nations and the subsequent formation of different Regional Economic Commissions have significantly contributed to the emergence of a rich body of law to regulate and set standards for the conduct of different aspects of human endeavour. In the area of humanitarian assistance in particular, efforts have been made at the International, continental and regional levels through the development of norms to ensure that lives are saved and human suffering alleviated in the event of an emergency or disaster. An indicative compilation of such normative instruments is reproduced below.

International Normative Instruments

- a. Universal Declaration of Human Rights (UDHR), 1945
- b. Convention relating to the status of Refugees, 1951 and its additional Protocols of 1967
- c. Declaration on the Protection of Women and Children in Emergency and Armed Conflict, 1974
- d. Geneva Convention for the Amelioration of the Conditions of the Wounded and Sick in Armed Forces in the Field , 1949
- e. Geneva Conventions for the Amelioration of the Conditions of Wounded and Sick and Ship Wrecked Members of the Armed Forces, 1949
- f. Geneva Convention Relative to the Treatment of Prisoners of War, 1949
- g. Geneva Convention Relating to the Protection of Civilian Persons in Time of War. 1949
- h. Additional Protocol to the Geneva Convention relating to the Protection of Victims of International Armed Conflicts, 1977
- i. Additional Protocol relating to the Protection of Victims of Non International Armed Conflicts, 1977
- j. Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), 1979
- k. Protocol to Prevent, Suppress and Punish Trafficking in Persons , especially Women and Children 2001
- l. Declaration on the Right to Development, 1986
- m. Convention on the Rights of the Child (CRC), 1989
- n. Declaration on the Elimination of Violence Against Women, 1993
- o. Optional Protocol to the Convention on the Rights of the Children in Armed Conflict, 2000
- p. Hyogo Framework for Action 2005-2015
- q. Rome Statute of the International Criminal Court 2003

Continental Normative Instruments

- a. Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969
- b. African Charter on Human and Peoples' Rights (ACHPR), 1981
- c. African Charter on the Rights and Welfare of the Child, 1990
- d. The Khartoum Declaration on Africa's Refugee Crisis, 1990

- e. The Addis Ababa Document on Refugees and Forced Population Displacement in Africa, 1994
- f. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003
- g. African Union Convention for the Protection and Assistance of Internally Displaced Persons, 2009

Regional Normative Instruments

- a. ECOWAS Revised Treaty, 1993
- b. The Protocol on Free Movement of Persons, the Right to Residence and Establishment, 1979
- c. Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace Keeping and Security, 1999
- d. Supplementary Protocol on Democracy and Good Governance, 2001
- e. ECOWAS Gender Policy, 2005
- f. ECOWAS Child Policy, 2008
- g. ECOWAS Policy for Disaster Risk Reduction, 2006
- h. ECOWAS Conflict Prevention Framework, 2007
- i. ECOWAS Common Approach on Migration and Development, 2008
- j. ECOWAS Memorandum on Equality of Treatment for refugees with other citizens of Member States of ECOWAS in the exercise of Free Movement, Right of Residence and Establishment, 2007
- k. The African Regional Strategy for Disaster Risk Reduction and its Plan of Action 2006 - 2015
- l. ECOWAS Regional Strategic Plan on HIV/AIDS 2011.

UN General Assembly Resolutions

- a. UN General Assembly Resolution 46/182 on Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations
- b. Security Council Resolution 1325 (2000)
- c. Council Regulation (EC) No 1257/96 of 20th June 1996 concerning Humanitarian aid

Annex 2

Fig. 1 Basic format of the disaster management cycle

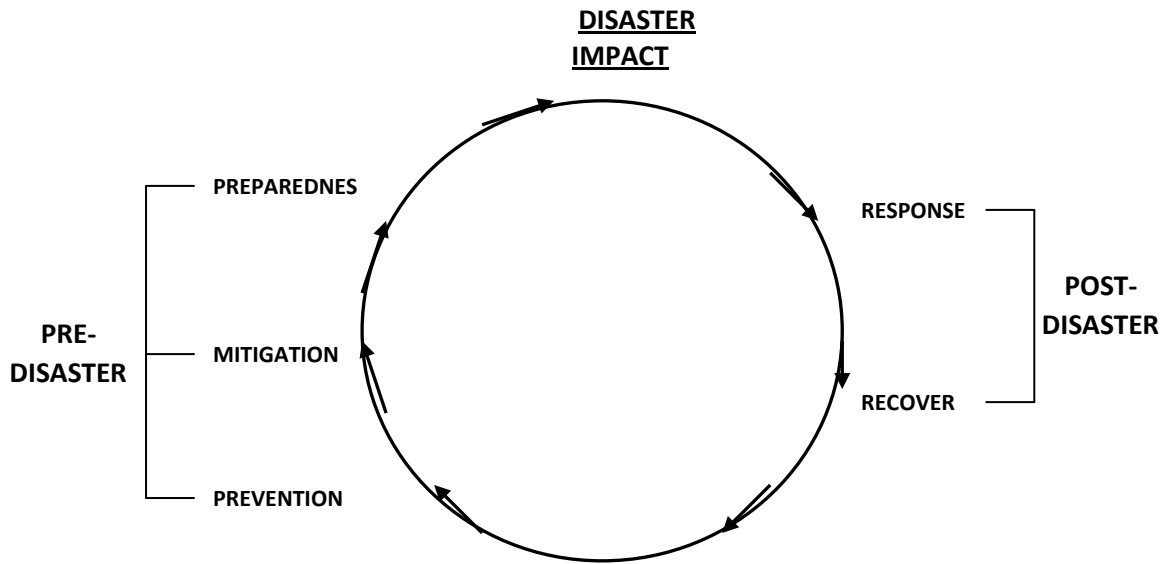


Fig. 2 Alternative format of the disaster management cycle



Annex 3

Structure of ECOWAS Humanitarian Coordination System

