

Economic Community of West African States, African Regional Bodies

Regulation C/REG.22/12 /11 Relating to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

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Regulation C/REG.22/12 /11 Relating to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

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The Council of Ministers;

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty as amended, establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Articles 40 and 41 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed in Lome on 10 December 1999 which amongst other issues provides for regional intervention in disaster situations occasioned by natural phenomena or by conflict for the development of capacity to undertake humanitarian actions in such situations and cooperation with other Humanitarian agencies;

MINDFUL of the Supplementary Act A/8/01/07 adopting the ECOWAS Policy on Disaster Risk Reduction;

MINDFUL of the Regulation MSC/REG.2/01/08 that formally established the ECOWAS Emergency Response Team mechanism;

MINDFUL also of Regulation MSC/REG. 1.01/08 on the Adoption of the ECOWAS Conflict Prevention framework (ECPF) particularly section VIII paragraphs 93 to 96 on Humanitarian Assistance;

CONSIDERING that the massive internal displacement of persons which have occurred in the West African sub-region due to civil war, internal communal conflicts, ethno religious conflicts, natural disaster and climate change, development projects and human rights violations have negatively impacted on the fundamental human rights of internal displaced persons (IDPs);

DETERMINED to address the issue of internal displaced persons as this constitutes a major challenge to regional integration and national development in the region;

CONSIDERING the African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) of 23rd October 2009 adopted by the Special Summit of the African Union which reaffirms the fundamental principle that African countries must bear the responsibility of providing protection and assistance to IDPS;

NOTING that in order to realise the vision and promise contained in the Convention, the Executive Council of the African Union adopted a plan of Action (2010 -2012) in which it expressly stressed that Regional Economic Communities (RECs) have a vital role to play in implementing the provisions of the Convention;

DESIROUS therefore of ensuring that ECOWAS Member States sign and ratify the Kampala Convention and implement the obligations arising from States by the Convention;

ON THE RECOMMENDATION of the First Ministerial Meeting on Humanitarian Assistance and Internal Displacement in West Africa which was held in Abuja, Nigeria from 5-7 July 2011;

HEREBY ENACTS

Article 1

1. Member States who have not already done so, should sign and ratify the African Union Convention for the Protection and Assistance of Internally displaced Persons in Africa.
2. Member States should also sign and ratify all other International Treaties and Conventions relating to internally displaced persons, including the OAU Convention governing specific aspects of refugee problems in Africa.

Article 2

Member States undertake to respect the principles enunciated by the Kampala Convention especially as they relate to State responsibility for the prevention of internal displacement, protection of displaced persons, provision of humanitarian assistance and funding durable solution for internal displacement.

Article 3

The ECOWAS Commission in collaboration with Member States will support African Union efforts in disseminating IDP Convention in order to facilitate its incorporation into their national body laws as well as its implementation.

Article 4

This Regulation shall be published by the ECOWAS Commission the Official Journal of the Community within thirty (30) days of signature by the Chairman of the Council of Ministers. It shall equ be published by each Member State in its Official *Gazette* within th (30) days upon notification by the Commission.

Done at Abuja, this 21st day of December 2011

H.E. Olugbenga Ashiru

Chairman for Council