

**Protocol on the
Establishment of a Conflict Early Warning and Response
Mechanism for
IGAD Member States**

We, the Member states of the Inter-governmental Authority on Development

The Republic of Djibouti

The State of Eritrea

The Federal Democratic Republic of Ethiopia

The Republic of Kenya

The Republic of Somalia

The Republic of the Sudan

The Republic of Uganda

Recalling the principles and objectives enshrined in the Agreement Establishing the Inter-governmental Authority on Development (IGAD);

Reaffirming the objectives of promoting regional peace, security and stability and creating mechanisms for the prevention, management and resolution of inter- and intra-state conflicts through dialogue;

Determined to act collectively to preserve peace, security and stability in the region, to enhance regional co-operation and to eliminate all forms of threat thereto;

Inspired by the need to establish an effective mechanism of consultation and cooperation for the peaceful settlement of disputes;

Convinced of the need to respond early to conflicts in the region;

Taking note of the Khartoum Declaration of the Eighth IGAD Summit that took place on the 23rd November, 2000, and particularly the resolution for the establishment of a Conflict Early Warning and Response Mechanism (CEWARN) for IGAD Member States

HAVE AGREED AS FOLLOWS:

Article 1

Definitions

In this Protocol:

"Protocol" means the Protocol Establishing a Conflict Early Warning and Response Mechanism for IGAD member states;

"Establishing Agreement" means the Agreement Establishing the Inter-governmental Authority on Development (IGAD);

"Khartoum Declaration" means the Khartoum Declaration of the 8th IGAD Summit of 23 November 2000;

"Member state" means a member of CEWARN;

"Assembly" means the Assembly of Heads of State and Government of IGAD;

"Council" means the Council of Ministers of IGAD;

"Committee" means the Committee of Ambassadors of IGAD

"Chairman of the Council" means the Chairman of the Council of Ministers of IGAD;

"Executive Secretary " means the Chief Executive Officer of IGAD;

"Secretariat" means the executive body of the Assembly (article 12, Establishing Agreement);

"CEWARN" means the Conflict Early Warning and Response Mechanism established by this Protocol;

"CEWARN Unit" means the IGAD Secretariat's technical arm of CEWARN;

"CEWERU" means national conflict early warning and response mechanism;

"Early warning" is the process of collecting, verifying and analysing information and communicating the results to decision-makers;

"Information" means raw data that has not been analysed;

"Analysis" means the interpretation of data in a specific context;

"Response" means actions to prevent, mitigate and manage conflict.

Article 2

Establishment of CEWARN

- 1) A Conflict Early Warning and Response Mechanism (CEWARN) is hereby established.
- 2) CEWARN shall become an integral part of the Inter-governmental Authority on Development.
- 3) Only Member states which have ratified this protocol are entitled to participate in the activities of CEWARN.

Article 3

The Legal Foundation of CEWARN

1) In addition to the Establishing Agreement and the Khartoum Declaration, the following shall form the legal foundation of CEWARN:

- a. The Protocol establishing CEWARN;
- b. Agreements which may be concluded between CEWARN and international, regional and sub-regional organisations;
- c. National laws on information and security subject to the provisions of this Protocol and the guidelines provided in the Annex.

2) Member states are encouraged to adjust their relevant national laws in order to accommodate their obligations under this Protocol.

Article 4

Structure of CEWARN

1) The decision-making structures for CEWARN established under this Protocol are complementary to those already existing in IGAD.

2) The structure of CEWARN is established as follows:

- a) The policy arm consisting of the Assembly, Council and Committee;
- b) The administrative arm consisting of the Secretariat;
- c) The technical arm consisting of:
 - (i) CEWARN Unit;
 - (ii) CEWERUs.
- d) The co-operating arms consist of:
 - i. optional inter-state structures;
 - ii. optional sub-regional councils.
- e) The coordinating arms consist of:
 - i. The Committee of Permanent Secretaries established under Article 9 of this Protocol;
 - ii. The Technical Committee on Early Warning (TCEW).

Article 5

Functions of CEWARN

1) The functions of CEWARN cover both early warning and response and shall include the following:

a) Promote the exchange of information and collaboration among member states on early warning and response on the basis of the following principles:

i) timeliness

ii) transparency

iii) cooperation

iv) free flow of information

b) Gather, verify, process and analyse information about conflicts in the region according to the guidelines provided in the Annex.

c) Communicate all such information and analysis to decision makers of IGAD policy organs and the national governments of Member States

d) More specifically, the early warning functions of CEWARN shall include:

- i. receiving information and reports from CEWERUs;
- ii. processing and analysing such information;
- iii. bringing that information to the attention of the secretariat;
- iv. providing the necessary feedback to the CEWERUs;
- v. disseminating such information as it is authorised, to those who are authorised, and in a manner that member states prescribe;
- vi. updating and synthesising information;
- vii. setting standards;
- viii. monitoring and coordinating information collection and reporting;
- ix. promoting dialogue on information and analysis;
- x. networking among information gathering organisations;
- xi. verifying information received from the CEWERUs.

Article 6

The CEWARN Unit

1) The CEWARN unit shall be part of the Directorate of Political and Humanitarian Affairs and will be governed by the IGAD service regulations.

- 2) The CEWARN unit shall have financial autonomy to the extent necessary for the performance of its functions.
- 3) The CEWARN Unit may initiate cooperative arrangements with international, regional and sub-regional organisations.
- 4) The terms, conditions and modalities governing such arrangements shall be governed by agreements concluded between IGAD and such other organisations.
- 5) The terms and conditions will be decided by the Executive Secretary in consultation with the Committee of Permanent Secretaries.

Article 7

Functions of the CEWARN Unit

The functions of the CEWARN Unit shall be to:

- 1) Assist the Secretariat to administer IGAD's Documentation Centre.
- 2) Identify users of the information processed by CEWARN, and their needs.
- 3) Establish networks of cooperation in early warning and response among member states.
- 4) Serve users by:
 - a. acting as a clearing house for information;
 - b. creating and managing databases on information for early warning and response;
 - c. providing a shared internet communication centre for CEWERUs;
 - d. developing guidelines for information users in consultation with the Committee on Early Warning;
 - e. setting standards and developing common practices for information collection, reporting and documentation, and establishing common formats for reporting on conflict early warning;
 - f. harmonising common information policies and systems for early warning in member states.
- 5) Support the development of CEWERUs and provide technical assistance for their establishment.
- 6) Develop close cooperation among CEWERUs.
- 7) Establish collaborative relationships, including information sharing, with similar international, regional and sub-regional mechanisms in Africa.

- 8) Train CEWERU personnel and generally promote human and institutional capacity building in the area of early warning and response.
- 9) Recommend mechanisms for regional responses to cross-border and trans-border conflicts.

Article 8

Structures of Co-operation

- 1) Member states may establish inter-state structures for cooperation in addition to the national and regional structures for co-operation in early warning provided for in this Protocol.
- 2) Such inter-state structures of cooperation may be established through bilateral agreements, memoranda of understanding, or through any other means that the cooperating members may decide.
- 3) While the right of member states to establish inter-state structures of cooperation in early warning and response is preserved, such structures should complement and strengthen the integrity and sustainability of CEWARN.
- 4) Individual clusters of member states experiencing common security problems, such as livestock rustling, may form Sub-regional Peace Councils, or refer such problems to existing bilateral arrangements.
- 5) Sub-regional Peace Councils shall meet as often as their members may decide for the purposes of sharing information on specific peace and security related issues in the sub-regions.
- 6) The Executive Secretary shall facilitate administratively periodic reports of the sub-regional peace councils to the Committee on Early Warning.
- 7) Any agreement concluded by sub-regional member states shall promote the objectives, functioning and sustainability of CEWARN.

Article 9

Co-ordinating Structures

- 1) The regional structure of early warning shall consist of CEWARN, the Secretariat, the Committee on Early Warning, the Committee of Ambassadors, the Council of Ministers and the Assembly.
- 2) There shall be a Committee of Permanent Secretaries.

This committee shall be composed of:

- a. Permanent Secretaries or equivalent ranks of the Ministries for Foreign Affairs

- b. The Executive Secretary, the Director of Political and Humanitarian Affairs and Coordinator of the CEWARN Unit as *ex officio* members
- 3) The Committee of Permanent Secretaries shall report directly to the Council.
- 4) The Committee of Permanent Secretaries shall meet at least twice a year.
- 5) There shall be a Technical Committee on Early Warning composed of:
 - a. the Heads of CEWERU
 - b. one representative from civil society or one representative from an independent research institution of each member state
 - c. the coordinator of the CEWARN Unit
- 6) The Technical Committee on Early Warning will report to the Committee of Permanent Secretaries
- 7) The Technical Committee on Early Warning shall meet at least twice a year.

Article 10

Co-ordinating Functions

1. The functions of the Committee of Permanent Secretaries are to:
 - a. exchange information on conflict and early warning;
 - b. be a link between the Assembly, the Council, the Committee and the Secretariat;
 - c. harmonise coordination between CEWARN and CEWERUs;
 - d. report and make recommendations to the Council on the following areas:
 - i. conflict in the IGAD region;
 - ii. coordination between CEWARN and CEWERUs;
 - iii. cooperation between governments and civil society in early warning and conflict management;
 - iv. recommendations for preventive action.
- a. review periodically the functioning of CEWARN;
- b. approve users of information suggested by the secretariat;
- c. link and coordinate the policy, administrative and technical functions.

- 3) The functions of the Early Warning Committee shall be to:
- a) promote cooperation between CEWERUs of member states;
 - b) promote cooperation between CEWERUs and CEWARN Unit;
 - c) review periodically the Protocol on information sharing and recommend amendments whenever necessary;
 - d) review the reports of the following consultative mechanisms:
 - i) consultations between representatives of CEWARN and CEWERUs held at least twice a year;
 - ii) consultations between CEWERUs and local units which will be held quarterly or at such more frequent intervals as each member state may determine.
 - e) liaise between civil society and the Secretariat;

Article 11

Structure of CEWERUs

1. A CEWERU shall be established in the most suitable location as member states decide taking into account their logistical and administrative arrangements.
2. A CEWERU will consist of:
 - a. an optional steering committee;
 - b. a focal point;
 - c. local committees.
- 3) The CEWERU steering committee shall include:
 - a. representatives of the central government;
 - b. representatives from parliament;
 - c. representatives of the provincial administration;
 - d. police;
 - e. military;
 - f. representatives of civil society, including religious organisations;
 - g. academic institutions;
 - h. research institutions;

- i. such other representatives as individual governments may designate.

4) The steering committee shall report to the Committee of Permanent Secretaries.

5) CEWERUs shall be linked to IGAD through the CEWARN Unit and the Ministry of Foreign Affairs in each member state and shall serve as the focal point for communications between CEWERUs and CEWARN.

Article 12

Function of CEWERUs

1) The functions of CEWERUs shall include:

- a. collecting information relevant to early warning and response;
- b. liaising with civil society groups involved in collecting information at the grassroots and other levels;
- c. undertaking preliminary analysis of collected information;
- d. reviewing analyses received;
- e. formulating response strategies;
- f. preparing periodic conflict early warning reports;
- g. communicating information and analysis gathered to the CEWARN Unit;

Article 13

Privileges and Immunities

Member states shall accord designated experts and officials on special mission for CEWARN privileges and immunities necessary for the performance of their activities.

Such privileges and immunities shall not be lesser than those accorded to officials of the Secretariat of comparable status

Article 14

Resources of the Mechanism

- 1) CEWARN, through the IGAD Secretariat, shall have the power to solicit and receive grants and donations related to the performance of its functions
- 2) The resources of CEWARN shall come from:
 - a. contributions from member states;

- b. grants, donations and contributions from other sources approved by the Council.

Article 15

Amendments

- 1) An amendment to this Protocol may be initiated by the request of a member of CEWARN by giving ninety days notice in writing to the Chairman of the Council.
- 2) On receipt of a proposal for amendment the Chairman of the Council shall transmit it to other member states within thirty days of its receipt.
- 3) Amendments to this Protocol shall take effect by consensus, or failing that, by a vote of two third majority of Member States.

Article 16

Signature, Ratification and Accession

- 1) This Protocol shall be signed by the duly authorised representatives of the member states;
- 2) This Protocol shall be subject to ratification in accordance with the Constitutional requirements and practices of member states;
- 3) The Protocol shall remain open for accession after its entry into force.

Article 17

Entry into Force

- 1) This Protocol shall enter into force thirty days after the receipt of the fourth ratification of a member state;
- 2) On its entry into force, this protocol shall become an integral part of the Establishing Agreement.

Article 18

Withdrawal

- 1) Any member state may withdraw from this Protocol by giving twelve (12) months written notice to the Chairman of the Assembly;
- 2) During the period of 12 months, referred to in paragraph 1 of this article a member state wishing to withdraw shall comply with provisions of this protocol and shall be bound to discharge its obligations up to the date of its withdrawal.

Article 19

Settlement of Disputes

Any dispute arising from the interpretation and implementation of this Protocol shall be settled amicably. Failing this, the dispute shall be referred to the Council.

Article 20

Supplementary Protocols

Member states may conclude such other Protocols as may be necessary to accomplish the aims and objectives of this Protocol.

Done At **KHARTOUM** on the **9th January, 2002**, in two original texts in English and French both being equally authentic.

IN WITNESS WHEREOF, the following, duly authorized by the Member States, HEREBY sign this protocol:

(Signed)

H.E. Mr. Ali ABDI FARAH

For

The Government of Djibouti

(Signed)

H.E. Mr. AREFAINE BERHE

For

The Government of Eritrea

(Signed)

H.E. Dr. TEKEDA ALEMU

For

The Government of Ethiopia

(Signed)

H.E. Hon. Major (rtd) MARSDEN MADOKA EGH MP

For

The Government of Kenya

(Signed)

H.E. Mr. ZAKARIYA MOHAMOUD

For

The Government of Somalia

(Signed)

H.E. Dr. KARAMELDIN ABDELHOULA SALIH

For

The Government of Sudan

(Signed)

H.E. Hon. Col KAHINDA OTAFIRE

For

The Government of Uganda

Annex

Operating Guidelines for CEWARN

Part I: Mandate

1) CEWARN is mandated to:

- a. receive and share information concerning potentially violent conflicts as well as their outbreak and escalation in the IGAD region;
- b. undertake and share analyses of that information;
- c. develop case scenarios and formulate options for response;
- d. share and communicate information, analyses and response options;
- e. carry out studies on specific types and areas of conflict in the IGAD region.

2) This mandate shall be carried out with the authority of the Executive Secretary in consultation with the Committee of Permanent Secretaries.

3) On receiving information under section 1 of this article, the Executive Secretary shall immediately bring that information to the attention of the Committee of Permanent Secretaries.

4) On receiving such information from the Executive Secretary, the Committee of Permanent Secretaries shall:

- a. review the options, and make immediate recommendations to the Council;
- b. decide what parts of this information or analysis should be made available in the public domain.

5) In performing this mandate, CEWARN may:

- a) review existing public domain information;
- b) conduct or commission in-depth studies;
- c) conduct critical evaluations;
- d) carry out risk assessments.

6) CEWARN may, under guidelines approved by the Committee of Permanent Secretaries, share the results of its activities with experts within and outside IGAD who are highly qualified to undertake critical analysis.

7) In performing this mandate and the duties specified in this article, due regard shall be given to the promotion of the principle of transparency.

Part II: Information

1) CEWARN shall rely for its operations on information that is collected from the public

domain, particularly in the following areas:

- a. livestock rustling;

- b. conflicts over grazing and water points;
- c. smuggling and illegal trade;
- d. nomadic movements;
- e. refugees;
- f. landmines;
- g. banditry.

2) CEWARN shall utilise existing documentation facilities of the Secretariat.

3) National and local levels shall be the primary sources of data collection.

4) Member states shall promote the involvement of the following partners as sources of

information:

- a. other governments;
- b. humanitarian agencies;
- c. non-governmental organisations;
- d. individuals;
- e. the media;
- f. the academic community;
- g. community based groups.

Part III: Verification and Analysis

1. CEWARN and its officials shall verify information within member states only through
overt means.
2. Member states shall facilitate the verification and analysis of information within their
territories by officials of CEWARN.
3. The request for permission to verify and analyse information shall be forwarded to the
member states by the Executive Secretary.
4. Officials of CEWARN shall observe the laws and regulations of member states during

the verification and analysis of information; in particular, they shall respect the

confidentiality of information and its sources as required by member states.

5. CEWARN shall commission academic and research institutions to undertake analysis of
information received by the CEWARN Unit.
6. The optional Steering Committee of each CEWERU shall be responsible for reviewing
such reports and reporting the outcome of its review to CEWARN.
7. On receipt of the reports from the Steering Committees, CEWARN shall immediately
forward them to the Committee of Permanent Secretaries.
8. The role of CEWARN in facilitating analysis of information shall be to:
 - a. identify the relevant research institutions;
 - b. train staff of research institutions in analysis;
 - c. facilitate and coordinate the access of CEWERUs to analysis.

9) The analysis of information and data gathered by the CEWERUs will be carried out:

- a) in-house by academic research institutions which form part of the CEWERUs;
- b) by independent academic research institutions identified by CEWARN.

10) Existing analytical capacities in the IGAD region will be used to the greatest extent

possible.

11) The analysis of information shall be carried out in the following intervals:

- a. at least four times a year during normal conditions;
- b. at least weekly during crisis situations.

Part IV: Dissemination

1. Member states shall have the right of access to the documentation facilities.
2. Information shall be shared and disseminated in such a manner, and in such places, as the member states will approve; member states should however not impose undue restrictions on the dissemination of information to authorised networks.
- 3) The use of networking shall be promoted as much as possible.
- 4) Member states may place restrictions on free access to analysis only on compelling grounds of national security.
- 5) The analyses carried out shall be made available to CEWARN, CEWERUs and, to the greatest extent possible, to civil society.
- 6) Member states may involve the following sectors in early warning and response:
 - a. national and regional parliaments;
 - b. academic and research institutions;
 - c. religious organisations;
 - d. local non-governmental organisations;
 - e. the media.
- 7) Cooperation with these sectors will be based on their ability to contribute to the following areas:
 - a) research on conflict and early warning;
 - b) raising awareness;
 - c) alerting the wider society;
 - d) conflict management and resolution at the grassroots levels.
- 8) Member states, in collaboration with the Secretariat, shall promote the exchange of information through all practical means, including:
 - a. electronic means;
 - b. mail;
 - c. conferences, seminars and workshops;
 - d. regional information networking;
 - e. field studies.