



Supplementary Act on
ECOWAS POLICY FRAMEWORK FOR

SECURITY SECTOR REFORM AND GOVERNANCE



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ACRONYMS

The terms hereafter shall be construed as follows:

| | |
|---------------|--|
| AISDS | African Institute for Security and Development Studies |
| ASDR | African Security Dialogue and Research |
| ASSN | African Security Sector Network |
| AU | African Union |
| DD | Centre for Democracy and Development |
| CLEEN | Centre for Law Enforcement Education |
| CBO | Community-based organization |
| CSO | Civil society organization |
| DCAF | Geneva Centre for the Democratic Control of Armed Forces |
| DDR | Disarmament, Demobilization and Reintegration |
| DGRSS | Democratic Governance and Reform of the Security Sector |
| ECOSAP | ECOWAS Programme for the Control of Small arms |
| ECOWAS | Economic Community of West African States |
| ECPF | ECOWAS Conflict Prevention Framework |
| EU | European Union |
| KAIPTC | Kofi Annan International Peacekeeping Training Centre |
| NGO | Non-governmental Organization |
| REC | Regional Economic Community |
| SALW | Small Arms and Light Weapons |
| SSR | Security Sector Reform |

| | |
|---------------|---|
| SSRG | Security Sector Reform and Governance |
| UN | United Nations |
| UNREC | United Nations Regional Centre for Peace and Disarmament in Africa WAANSA |
| | West African Action Network against Small Arms |
| WANEP | West African Network for Peace Building |
| WANSED | West African Network for Security and Democratic Governance |

PREAMBLE

WE, THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS);

Guided by the principles enshrined in the Constitutive Act of the African Union and in the Charter of the United Nations;

Reaffirming the provisions of the UN Secretary-General's Report (A/62/659-S/2008/39) of January 2008, which lays down the UN's approach to security sector reform; the UN Secretary-General's Report (A/63/881-S/2009/304) of 11 June 2009 recognizing that SSR is a priority in the immediate aftermath of conflict; and the UN Secretary-General's Report (A/67/970-S/2013/480) of 13 August 2013 which contains among others, key recommendations on encouraging inclusive and sustainable national ownership of SSR;

Also reaffirming the statement of the UN Security Council (S/PRST/2007/3) of 20

February 2007, which emphasizes that security sector reform is critical to consolidating peace; the UN Security Council statement of 16 July 2010 (S/PRST/2010/14), which notes that effective SSR programmes are an important element of conflict prevention; and the UN Security Council Resolution S/RES/2151 of 28 April 2014, the first stand-alone UNSC resolution on SSR which has further increased the momentum in SSR policy development and programming;

Fully committed to implementing provisions of the Common African Security and Defence Policy and the provisions of the Post-Conflict Reconstruction and Development Policy of the

African Union, which give priority to the re-establishment and enhancement of the capacity of security institutions;

Acknowledging the obligation of Member States to apply the principles of gender equality and women's empowerment, including in SSR processes, as elaborated in the Protocol of the African Charter on Human and Peoples' Rights on the Rights of Women in Africa of 2003, the AU Solemn Declaration on Gender Equality in Africa, and particularly in light of the decision EX.CL/Dec. 487 (XIV) of January 2009 which declared 2010 - 2020 as the African Women's Decade;

Acknowledging the relevance and importance of the Core African Principles for Security Sector Reform enshrined in the Africa Union Policy Framework on Security Sector Reform which was adopted in 2013;

Mindful of the ECOWAS Revised Treaty signed in Cotonou on 23 July 1993, notably its Article 58 which stipulates that Member States undertake

to work to safeguard and consolidate relations conducive to the maintenance of peace, stability and security within the region;

Mindful of the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed in Lomé on 10 December 1999; Recalling the ECOWAS Protocol on Democracy and Good Governance signed in Dakar on 21 December 2001, supplementary to the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security;

Acknowledging the need to implement the ECOWAS Vision 2020 which identifies peace, security and stability as the basis for regional integration;

Bearing in mind the provisions of the ECOWAS Conflict Prevention Framework (ECPF) 2008, notably its Articles 72 to 76 on Security Governance, which recalls the objective to ensure

the emergence and consolidation of accountable, transparent and participatory security systems in Member States;

Determined to implement the provisions of the Supplementary Act relating to a Code of Conduct for the Armed Forces and Security Services of ECOWAS adopted in August 2011;

Recalling the ECOWAS Plan of Action on Implementation of International Humanitarian Laws, and the ECOWAS Humanitarian Policy of 2012 and its Plan of Action 2012-2017; and the ECOWAS Plan of Action to Combat Trafficking in Persons especially women and children;

Deeply concerned by the regional security context marked by emerging threats and risks such as armed conflicts, militarization of politics, increased drug and human trafficking, transborder organised crime, rising terrorism, maritime insecurity and piracy, circulation of arms and combatants;

Considering the challenges faced by the security sector in West Africa due to lack of culture of governance of the security sector, inadequacy of physical and institutional capacity, lack of/limited professionalism of security institutions and actors, insensitivity to gender issues, lack of relevant training, inadequate equipment, funding and other resources, and absence of effective democratic control;

Recognising the need to build peace and prevent conflicts in West Africa and the disastrous consequences that the proliferation of small arms and light weapons and the illegal exploitation of natural resources have on the prolongation of armed conflicts;

Recognising that democratic governance and human security are at the core of the community strategy aiming at making security a regional public good and an essential service for citizens as well as a vital component to achieving sustainable development;

Conscious that to materialise this new security approach which combines State security and human security requires profound changes to ensure democratic governance and reform of the security sector at the regional and national levels;

Considering also the peculiarities and the specific requirements of security sector reform in West Africa, the need for regional and national ownership of the security sector reform and governance processes, and the desire to anchor the security sector reform and governance efforts on the region's shared cultures and values;

Desirous to establish a strategic regional framework for democratic governance and reform of the security sector which puts the citizen at the heart of the security discourse, and which is designed to help achieve and consolidate the ECOWAS' Vision 2020;

Have decided to adopt as follows the ECOWAS Policy Framework on Security Sector Reform and Governance.

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SECTION 1

INTRODUCTION



ECOWAS



COUNTRIES IN ECOWAS



A. DEFINITIONS

1. West African region

For the purposes of this policy document, West Africa comprises all Members States of the Economic Community of West African States (ECOWAS). These countries are: Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

2. Security

The term security covers both the traditional state-centric notion of the survival of the state and its protection from external and internal aggression by military means, as well as the non-military notion of human security based on political, economic, social and environmental imperatives in addition to human rights.

3. Security sector

The components of the security sector refer to institutions, corporate bodies and individuals responsible for the provision, management and oversight of security for the people and for the State. They include, but are not limited to:

- a. Statutory and primary security institutions: such as the armed forces, the police, gendarmerie and other law enforcement agencies, intelligence units, presidential guards, anti-terrorist units, border management, customs and immigration authorities, Office/ Directorate of the State Department, as well as any other security services set up by a Member State;
- b. Non-statutory security bodies: such as private security companies, informal

security providers, traditional and customary authorities;

- c. Public management, oversight, monitoring and control bodies: such as the executive, relevant ministries, the legislature, national security advisory bodies, parliamentary defence and security committees (including national parliaments and the ECOWAS Parliament), anti- corruption bodies, Civil Society Organisations (CSOs), the media, customary authorities;
- d. Justice and rule of law institutions: such as the judiciary, Office of the Attorney General, Office of the Public Prosecutor, military justice systems, prisons and other correctional facilities, Ombuds institutions, traditional and transitional justice systems, human rights commissions, tribunals and courts, the ECOWAS Court of justice, the African Court for

Justice and Human Rights, the African Commission on Human and People's Rights;

- e. Civil emergency units: such as search and rescue services, firefighting, riot control, natural disaster management offices and natural resource protection units

4. Security sector reform

In this policy framework, SSR refers to the process by which countries formulate or re-orient the policies, structures, and capacities of institutions and groups engaged in the security sector, in order to make them more effective, efficient, accountable and responsive to democratic control, and to the security and justice needs of the people.

5. Democratic governance of the security sector

refers to the provision, management

and control of security sector based on democratic principles and values for the benefit of the people. It requires separation of powers, a participatory and inclusive approach involving citizens through their legally and regularly chosen representatives in decision-making processes, management and control of State activities and functions in the Security Sector.

6. Civil society

refers to civil society organizations (CSOs) as defined in article 3 of the Statutes of the Economic, Social and Cultural Council of the African Union (ECOSOCC).

B. JUSTIFICATIONS

7. Many West African States have emerged from periods of coups d'état, military regime, political instability and internal armed conflict and have achieved remarkable progress towards democratization and good

governance. While some States are in post-conflict situations, other States considered stable are facing localised conflicts with potential or actual regional dimensions. The entire region particularly on the northern frontiers of the ECOWAS space is experiencing pressures resulting from both internal conflicts and cross-border crimes (drugs, arms and human trafficking, terrorism, piracy and illicit maritime activities among others).

8. In this security environment, Member States reforming their security and justice sectors have received support from external partners. The policy framework for such support has primarily been the UN and national instruments on SSR with the strong participation of civil society organizations and the media. Coming on the heels of the adoption of the African Union Policy Framework on Security Sector Reform, this Policy Framework seeks to strengthen the West African ownership of current SSR concepts and approaches as it applies to

ECOWAS Member States.

9. ECOWAS adopted two policy documents that put democratic governance at the core of its conflict prevention strategy and development agenda: the Supplementary Protocol on Democracy and Good Governance of 2001 and the ECOWAS Conflict Prevention Framework (ECPF) of 2008. Both documents recall core principles of democratic governance which should be respected by security institutions in Member States. Article 72 of the ECPF highlights Security Governance as one of the components for conflict prevention with the objective to ensure the emergence and consolidation of accountable, transparent and participatory security systems in Member States.
10. While Security Sector Reform and Governance (SSRG) is a key component of conflict prevention, ECOWAS recognises that SSRG should also be part of a broader reform agenda on promoting

human rights, the rule of law, peace-making, peacekeeping, peacebuilding and sustainable development.

C. VISION AND GOAL

11. This Policy Framework shares the principles of the ECOWAS Vision 2020, which envisions among others “a space where people can move freely, ply their business and live in dignity and peace under the rule of law and good governance; a region which is an integral part of the African continent, a global village where all human beings live in mutual respect, solidarity and a spirit of fair trade”.
12. The goal of this Policy Framework is to provide the ECOWAS Commission, Member States and other stakeholders with guidelines to design, implement, monitor and evaluate SSRG processes, programmes and projects. It is also intended to achieve the following:

- a. Contribute to the democratization process in ECOWAS Member States by encouraging security institutions to comply with democratic governance principles such as accountability, transparency and the rule of law;
- b. Promote a regional platform for advocacy and learning on SSRG through sharing of experiences and good practices, training and other capacity building activities in West Africa;
- c. Provide guidance on cooperation between and among Member States, the AU, other RECs, the UN, other members of the international community and CSOs on SSRG.

D. OBJECTIVES

13. The objectives of ECOWAS SSRG are:
 - a. To eliminate threats to individual and group rights, safety, life, livelihoods and property, and the protection of the institutions and values of democratic governance, human rights and the rule of law under a human security umbrella;
 - b. To orient the focus and capacities of institutions, individuals and groups engaged in the security sector to make them efficient, effective, responsive and responsible to democratic control and to adhere to basic human rights and the rule of law;
 - c. To ensure the emergence and consolidation of accountable, transparent and participatory security systems in Member States.



SECTION 2

**THE CORE
PRINCIPLES OF
THE ECOWAS SSRG**

14. Through previous key documents, ECOWAS has developed principles relating to democratic governance and security sector reform. The key documents include but are not limited, to:
 - a. The ECOWAS Revised Treaty (1993);
 - b. The Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (1999);
 - c. The ECOWAS Protocol on Democracy and Good Governance (2001);
 - d. The ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials (2006);
 - e. The ECOWAS Conflict Prevention Framework (2008);
 - f. The Code of Conduct for the Armed Forces and Security Services of ECOWAS (2011);
 - g. The ECOWAS Counter-terrorism Strategy and Implementation Plan 2013;
 - h. The ECOWAS Integrated Maritime Strategy 2014.
15. Several AU and UN documents such as enumerated below have also developed SSR norms and principles:
 - a. The Protocol relating to the establishment of the Peace and Security Council of the African Union (2002);
 - b. The AU Solemn Declaration on a Common African Defence and Security Policy (2004);
 - c. The AU Policy on Post-Conflict Reconstruction and Development/PCRD (2006);

- d. The AU Policy Framework on the Security Sector Reform (2013);
 - e. The UN Security Council Statement (S/PRST/2007/3) of 20 February 2007;
 - f. The UN Secretary-General's Report (A/62/659-S/2008/39) of January 2008;
 - g. The UN Secretary General's Report (A/63/881-S/2009/304) of 11 June 2009;
 - h. The UN Security Council Statement (S/PRST/2010/14) of 16 July 2010.
 - i. The UN Secretary-General's Report (A/67/970-S/2013/480) of 13 August 2013; and
 - j. The UN Security Council Resolution S/RES/2151 of 28 April 2014.
- 16.** In addition to the above documents, the following core principles encompass as values that are particularly unique to the West African regional context or relevant for ECOWAS Member States in designing, implementing, monitoring and evaluating SSRG programmes:
- a. African and West African solidarity and partnerships
- Enshrined in the Constitutive Act of the African Union and in key ECOWAS protocols, the principle of African and West African solidarity and good neighbourhood will guide ECOWAS' support to Member States in designing and implementing SSRG programmes. Through horizontal partnerships and South- South cooperation, African and West African countries can support one other in the objective of having effective, efficient and accountable security sectors.

- b. Respect for national sovereignty and territorial integrity

ECOWAS shall neither tolerate nor support any SSRG activities that may undermine peace and security in the region. Any support to SSRG programmes and policies must respect the political independence, the national sovereignty and territorial integrity of Member States. An objective of ECOWAS SSRG is to strengthen States' capacities to respond to present and emerging threats and to deliver security and justice services to the State and its peoples.

- c. SSRG and regional integration

This Policy Framework recognizes the linkages between SSRG and regional integration. An effective, accountable and efficient security sector is crucial to sustainable development and the Vision of ECOWAS to have a stable,

prosperous West Africa with free movement of people, good and services.

Moreover, with the operationalization of the African Peace and Security Architecture (APSA) under the Memorandum of Understanding on Cooperation in the Area of Peace and Security between the Africa Union, Regional Economic Communities and the Coordinating Mechanisms (2008), regional cooperation includes support to SSRG programmes.

- d. Regional and national ownership

This Policy Framework realizes ECOWAS' political decision to develop guidelines, norms and principles on SSRG in order to support Member States to design, implement, monitor and evaluate SSR programmes. This is an expression of West African ownership.

Member States are to undertake SSRG

activities on the basis of a national decision. National ownership entails political will to:

- i. Assess, develop, lead, implement, monitor and evaluate SSRG activities;
- ii. Include and seek the participation of a broad range of national stakeholders in SSRG process;
- iii. Commit national resources (human, financial and material) to implement SSRG programmes;
- iv. Have the capacity to coordinate external support to SSRG programmes.
SSRG will be context-specific
- e. This Policy Framework recognizes the peculiarities of the security sectors in West African States. SSRG programmes

are therefore to be tailored to the needs, histories, culture, social and political context of the applicable States while respecting core principles of democratic governance, rule of law, gender equality and respect for human rights.

f. SSRG and gender

SSRG programmes will adhere to the principles of gender equality and women empowerment as enshrined in article 63 of the Revised ECOWAS Treaty (1993), the ECOWAS Gender Policy (2004), article 81 of the ECOWAS Conflict Prevention Framework and the ECOWAS Regional Action Plan for the implementation of the UN Security Council Resolutions 1325 and 1820 (2010). SSRG programmes will also adhere to the principles enshrined in other relevant gender instruments of the AU, the UN and ECOWAS Member States. SSRG programming will include gender-specific activities with the aim

to promote gender equality within the security sector.

g. SSRG and human rights

SSRG programme will create a secure environment for the armed forces and security services as well as civilian-led institutions to coordinate, implement, respect and enforce human rights and international humanitarian laws.

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SECTION 3

**THE ESSENTIAL
FEATURES OF
THE ECOWAS SSRG**

17. The essential features are as follows:

- a. A National Security Policy ;
- b. A periodic security sector review and needs assessment;
- c. A comprehensive professionalization and modernization of the security and justice sector;
- d. The involvement of customary authorities and community-based security and justice providers;
- e. The effective involvement of Civil Society Organizations and the media;
- f. The establishment of effective and accountable democratic control and oversight institutions including independent and effective judiciary/ court systems;
- g. An effective resource mobilization

strategy and financing of SSRG;

- h. A national framework for effective partnerships and cooperation arrangements;
- i. An effective communication strategy;
- j. A monitoring and evaluation mechanism.

A. A National Security Policy

18. Member States shall have a National Security Policy may also be referred to as “defence or security blueprint”, “Defence and Security White paper”, or “National Security Strategy”.

19. A National Security Policy will summarize the country and peoples’ security and justice needs and potential threats. It will define the institutions in charge of providing the relevant services and those in charge of managing and overseeing the security

sector based on democratic principles, human security needs, respect for human rights and international humanitarian law. As a strategic document, a National Security Policy will include the following elements:

- a. Articulation of a national, collective and long-term vision of security ;
 - b. Common understanding of security challenges and possible internal and external threats that the Member State and its people may encounter;
 - c. Linkages between national security and development (sustainable national development, poverty reduction, regional integration, etc.);
 - d. Commitment to international, continental and regional peace and security obligations based on the principles of non-aggression, legitimate self-defence and collective security;
 - e. Definition of security priorities and allocation of adequate resources to address them;
 - f. Definition of roles and responsibilities of various security institutions;
 - g. Commitment to the participation of all relevant groups at all levels of national security activities without discrimination on the basis of gender, language, ethnicity and religion.
- 20.** Member States shall enact and review national legislations for the effective implementation of the National Security Policy including by developing a national security strategy and action plan which will describe the methods, activities and appropriate resources needed to achieve the vision and goals outlined in the National Security Policy.

- 21.** The development and review process of the National Security Policy will be inclusive, transparent and participatory and will involve a broad range of national and regional stakeholder's especially vulnerable and marginalised groups such as ex-combatants, people with disabilities, internally displaced persons, refugees, ethnic and religious minorities.
- B. A periodic security sector review and needs assessment**
- 22.** Member States shall conduct periodic review of their security sector. The objectives of the security sector review are to:
- a. Clarify relationships and hierarchy between security sector institutions and legitimate civil authorities;
 - b. Identify strengths and weaknesses in the current legal and policy frameworks of the security sector;
 - c. Clarify the roles and responsibilities of different security and justice institutions;
 - d. Map out the role of informal actors, customary authorities and non-state actors in justice and security;
 - e. Determine national priorities on security and justice issues in the short, medium and long term and the resources needed to accomplish them.
- 23.** Member States shall conduct security sector review (including security sector expenditure review) in a transparent, inclusive and participatory manner by allowing a broad range of stakeholders to express their views on security and justice needs.
- 24.** Member States shall conduct needs assessment of their security sector institutions. The needs assessment will:

- a. Identify areas of need and required action in the management, oversight and control of the security sector;
 - b. Give detailed information to national authorities in order to be able to develop an appropriate national SSR strategy and plan of action;
 - c. Outline the internal and external threats that the Member State is facing;
 - d. Give details about allocation of budget and resources needed by different security institutions to fulfil their mandate;
 - e. Acknowledge division of labour between statutory and non-statutory justice and security providers and identify strengths and weaknesses in the harmonization of the two systems.
- 25.** The needs assessment will be conducted in a transparent and participatory manner and will include inputs from stakeholders such as statutory and non-statutory security and justice providers, CSOs, women organization. The report of the needs assessment will be made available to the public.
- C. A comprehensive professionalization and modernization of the security sector**
- 26.** Member States shall seek to have a modern and professional security sector through the establishment of transparent and accountable mechanisms for recruitment, promotion and retention, procurement and payroll as well as audit and internal control tools.
- 27.** Member States shall respect the principles of non-discrimination and gender equality in recruiting and promoting the personnel of the security sector.

- 28.** Member States shall ensure high-quality and respectable standard for the procurement system of their security sector and shall set up processes that guarantee transparency in the allocation of resources, the utilization and management of equipment.
- 29.** Member States shall establish bilateral and multilateral partnerships in order to develop their training capacities and to ensure interoperability with other national and regional forces in the framework of the African Peace and Security Architecture.
- 30.** Member States shall adopt and operationalize security doctrines that provide a common frame of reference across the security sector institutions in order to standardize operations and facilitate readiness. Member States' security doctrines shall respect regional and international norms and policies such as the ECOWAS Policy Framework on Security Sector Reform and Governance, the Common African Security and Defence Policy and the United Nations Charter.
- 31.** Member States shall provide the resources that their security and justice institutions need to fulfil their mandate and role as security and justice providers.
- 32.** Member States shall develop and put in place rules and structures that will guarantee the respect of professional ethics in the functioning of the security sector.
- 33.** Member States shall:
 - a. Develop and/or review and implement a national code of conduct and ethics for the security sector personnel taking into account the provisions of the Code of Conduct for the Armed Forces and Security Services of ECOWAS;
 - b. Put in place internal structures and mechanisms to monitor and oversee compliance with the code of conduct/ethics.

D. The involvement of customary authorities and community-based security providers in SSR processes

- 34.** In the region, customary and traditional actors often provide essential security and justice services where necessary. Member States shall therefore integrate such actors into national SSRG processes in order to ensure their conformity with core principles of democratic governance, the rule of law and respect for human rights. The experiences and views of traditional and customary security and justice providers are essential in developing SSRG programmes, projects and activities.
- 35.** Member States using the services of private security companies will do so in full respect of national and international instruments on human rights, the rule of law and good governance. Member States shall therefore ensure that private security companies operate under a clear national legislation or framework that delineates their roles and

must not contravene the OAU Convention for the Elimination of Mercenaries in Africa (1977) and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries (1989).

- 36.** In order to further promote respect for human rights and international humanitarian law in this area, Member States may wish to adhere to the Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security Companies During Armed Conflict. Member States may also wish to ensure that companies operating on the national territory sign and comply with the International Code of Conduct for Private Security Service Providers and the Voluntary Principles on Security and Human Rights.

E. The effective involvement of Civil Society Organisations and the media

- 37.** ECOWAS recognises the positive role played by CSOs and the media in promoting peace and security in West Africa. Such roles are reaffirmed in the Protocol on Democracy and Good Governance (2001) and the ECOWAS Conflict Prevention Framework (2008).
- 38.** Member States shall ensure the full and effective participation of CSOs and the media in the formulation, design, implementation, monitoring and evaluation phases of SSRG programmes, projects and activities. ECOWAS invites CSOs and the media to, inter alia:
- a. Sensitize citizens and promote better understanding, dissemination and implementation of the concepts and principles contained in this Policy Framework at the national and regional levels;
 - b. Contribute to cultivating a culture of good governance and respect for democratic norms, values and principles within the security sector in West Africa through advocacy;
 - c. Conduct research, training and other capacity building activities on SSRG in West Africa;
 - d. Promote and encourage dialogue between different national security institutions and between security sector institutions and communities;
 - e. Participate in the development process of National Security Policy, security sector review and needs assessment;
 - f. Contribute to the work of institutions in charge of overseeing and controlling security sector institutions such as parliamentary defence and security committees, Ombuds institutions, national human rights commissions.

F. The establishment of democratic control and oversight institutions

39. Member States shall commit human, material and financial resources to establish and support national institutions that will help uphold core principles of democratic governance, respect for human rights and rule of law within the security sector. The name, nature and functioning of those control and oversight institutions may vary from one State to another according to its history, culture, political and legal system. In this regard, ECOWAS encourages Member States to establish and strengthen the following oversight and control mechanisms:

1. Executive control of the security sector

40. Member States shall support the executive (Heads of States and Government including ministries, cabinet members)

and other management bodies to fully play their role in providing the political guidance, direction and needed resources to the security institutions. In exercising its role, the executive shall respect the principles of separation of powers as provided for in national constitutions. The executive will ensure that security institutions function in full compliance with core principles of democratic governance, respect for human rights and rule of law and will hold them accountable if those principles are breached.

2. Parliamentary oversight of the security sector

41. Member States shall support their parliaments in their tasks of overseeing the functioning of security sector institutions and holding them accountable for their mission and roles. The parliament's roles include:

- a. Enacting and reviewing legislations for security sector institutions,
 - b. Exercising oversight of the security sector through parliamentary instruments of questions, debates, requests for information, investigations and site visits;
 - c. Establishing and equipping defence and security committees to monitor the functioning of security institutions;
 - d. Holding hearings that may be open to the public for transparency;
 - e. Requesting periodic reports on security matters from the executive and the security institutions;
 - f. Performing others tasks required by national legislations.
- 42.** The ECOWAS Parliament will contribute to the better understanding, dissemination

and implementation of common normative standards contained in this Policy Framework.

3. Judicial review and oversight of the security sector

- 43.** Member States shall condemn and fight the culture of impunity by empowering judicial institutions to enforce the respect of core principles of democratic governance, human rights and the rule of law by the security sector.
- 44.** Member States shall guarantee the full independence of the judiciary from the executive and legislative branches and will provide sufficient funding and resources for the judiciary to fulfil its mandate. Member States will ensure that their judiciary will work in compliance with core principles of non-discrimination, respect for human rights, gender equality and democratic governance norms.

- 45. Member States maintaining military justice systems shall ensure that such systems perform in accordance with the principles of independence, equality before the law, transparency and accessibility.
- 46. Member States shall enact national legislation to limit the legitimate use of coercive force by security institutions and which will hold security actors accountable for violation of such legislation. Exceptional measures such as curfew and state of emergency shall comply with the constitution, applicable national legislations and regional instruments, international human rights and humanitarian law.

4. Control of the security sector by independent oversight bodies

- 47. In keeping with democratic governance principles, Member States shall establish independent oversight bodies such as Ombuds institutions, national human rights commissions and/or Auditor General

which will monitor the functioning of security institutions. Respective national legislation will guarantee the independence of such oversight institutions and empower them to receive and investigate complaints from the public and security sector personnel, and to monitor security sector's compliance with core principles of democratic governance as contained in this Policy Framework and relevant national and international instruments.

- 48. Member States shall ensure that their security institutions establish internal checks and balances or internal monitoring mechanisms in order to encourage a culture of accountability, coupled with processes to deal with any transgressions. Member States further undertake to conduct regular reviews and audits of those mechanisms whose mandate will include providing guidelines for investigations, review and oversight of security sector operations.

G. An effective resource mobilization strategy and financing of SSRG programmes

- 49.** To have a transparent, sustainable and long-term financing of SSRG programmes, Member States have the responsibility to allocate a sufficient and a proportionate part of the national budget to the security sector subject to independent and parliamentary scrutiny. They also have the responsibility to coordinate with bilateral and multilateral partners the mobilization of resources for effective DGRSS processes.
- 50.** When necessary, ECOWAS shall support Member States to design, implement and evaluate their SSRG programmes within the limit of available resources. ECOWAS may also seek the assistance of partners in this respect.
- 51.** Member States shall put in place an effective strategy to secure funding from internal and external sources in order to sustain long

term financing for SSRG programmes. The resource mobilization strategy may include:

- a. An advocacy campaign targeted at potential internal and external donors detailing national security and justice needs and the required resources to fulfil them ;
- b. Contribution from the private sector and business community beyond corporate social responsibility, in the nature of investments to promote a safe and stable environment for doing business;
- c. A monitoring mechanism for financial flows/reflows;
- d. A sound management of resources mobilized and an obligation to communicate all the results to relevant stakeholders;
- e. Regular reports and sound record keeping which would be available to the public and other stakeholders.

52. Member States shall contribute to the maintenance of regional peace and security through restraint in and sound management of national military expenditures and defence equipment and armaments acquisition. In this regard, all Member States shall ratify and adhere to:

- a. The ECOWAS Convention on Small Arms and Light Weapons (SALW), their Ammunition and Other Related Materials (2006), which calls upon Member States to ban the transfer of SALW and their manufacturing materials into their national territory or from/through their national territory. Member States shall request exemption from the ECOWAS Commission under the exemption conditions under the article 4 of the SALW convention;
- b. The United Nations General Assembly Resolution 62/13, which calls upon all UN Member States to report annually to

the UN Secretary-General their military expenditures using the United Nations Standardized Instrument for Reporting Military Expenditure as recommended in UN General Assembly Resolution A/Res/35/142B of 12 December 1980;

- c. The United Nations Arms Trade Treaty adopted by the UN General Assembly in March 2013, which places a responsibility on all States to effectively regulate the international trade in conventional arms and to prevent their diversion.

H. A national framework for effective partnerships and cooperation building

53. Member States shall assume responsibility for coordinating external support to national SSRG programmes. Where Member States do not have this capacity, external support and capacity-building assistance may be requested from the ECOWAS Commission,

the African Union, the United Nations or other partners until such States have the capacity to lead.

54. Member States shall establish a national structure or framework for cooperation and partnerships to support the implementation of SSRG programmes. The national structure will be composed of several stakeholders such as government officials, CSOs, international partners, CBOs, research and academic institutions.

55. For post-conflict Member States with fragile State institutions, ECOWAS with the assistance of the international community and other relevant actors may take the lead in coordinating external assistance until the Member States have the capacity to lead.

I. An effective communication strategy

56. Member States implementing SSRG programmes shall have an effective communication strategy in order to:

- a. Keep national, regional and international stakeholders informed about the evolution process, successes and challenges faced by SSRG programmes;
- b. Allow citizens and CSOs to have access to relevant information on SSRG;
- c. Secure more support including funding from internal and external partners.

57. The disclosure of declassified information will not endanger national security. Member States are therefore encouraged to indicate which information is classified or declassified in order to respect the right of their citizens to freedom of information.

J. A monitoring, review and evaluation mechanism

58. Member States implementing SSRG programmes are encouraged to develop and implement appropriate mechanisms and indicators for monitoring, review and

evaluation (MRE). The objectives of the MRE are to:

- a. Track and indicate achievement of objectives with indicators of progress;
- b. Assess performance in order to review allocation and utilization of resources, respect of terms of reference and anticipate setbacks and difficulties;
- c. Evaluate the impact of programme/projects;
- d. Adapt programme strategy where necessary, especially in the face of fluid and changing circumstances, in order to improve outcomes and enhance impact.

59. Member States shall develop internal capacity and tools for the monitoring, review and evaluation of SSRG programmes. If necessary, they may request support from the ECOWAS Commission, the African

Union, the United Nations and/or other relevant partners and stakeholders.

60. The monitoring, review and evaluation exercises will be conducted on a regular basis and in a transparent and participatory manner; reports are to be made available to stakeholders.



SECTION 4

**GENDER
MAINSTREAMING
AND SSRG**

- 61.** ECOWAS is committed to the principles of gender equality and women empowerment enshrined in article 63 of the Revised ECOWAS Treaty (1993), the ECOWAS Gender Policy (2004), article 81 of the ECPF on Women, Peace and Security (2008), the ECOWAS Regional Action Plan for the Implementation of the UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security, and other AU and UN relevant instruments. This Policy Framework reaffirms that men and women, boy and girls' specific security and justice needs will be integrated throughout the programming of SSRG. To be sustainable and compliant with gender-equality principles, SSRG programmes will achieve the following objectives:
- a. Establish laws and policies that promote non-discriminatory, equitable, gender-responsive national security sectors which respond to the different security and justice needs of women, men, boys and girls;
 - b. Increase the participation of women at all levels in security sector institutions and ensure that the criteria for recruitment, appointment, retention and promotion are gender-sensitive;
 - c. Endeavour to put in place laws, policies, structures and mechanisms to prevent and respond to gender-based violence, especially against women and girls;
 - d. Provide gender training to security sector personnel in order to change any inappropriate perception of the role of men and women within security institutions;
 - e. Reaffirm the zero-tolerance policy against any form of gender-based violence within the security sector or committed by security personnel against civilians by putting in place and/or supporting existing laws, regulations, mechanisms and institutions to punish perpetrators of gender-based violence

and protect victims. This Policy Framework reaffirms that gender-based violence may constitute war crimes, crimes against humanity and genocide according to the Rome Statute establishing the International Criminal Court.;

national action plans for the implementation of UN Security Council Resolutions 1325, 1820, 1882, 1888 and 1960.

- f. Address specific needs of women and girls formerly associated with armed forces or groups as well as wives, widows and children of former combatants;
- g. Establish gender-sensitive democratic control and oversight institutions by creating or supporting existing structures, providing appropriate resources and building the necessary capacities.

62. Member States are encouraged to domesticate and respect national, regional and international laws and policies related to gender and SSRG including by adopting



SECTION 5

**THE IMPLEMENTATION
MECHANISM OF THE
ECOWAS SSRG POLICY
FRAMEWORK**

A. The role of the ECOWAS Commission

- 63.** The decision by ECOWAS to provide support to national SSRG programmes shall be taken on the basis of a request from a Member State to the Mediation and Security Council (MSC) and on the MSC's recommendation to the ECOWAS Authority of Heads of State and Government.
- 64.** Implementation of this Policy Framework on SSRG shall be led by the Regional Security Division of the ECOWAS Commission. In addition to the obligations of ECOWAS under article 74 of the ECPF, the ECOWAS Commission shall play the following role to enable the implementation of this Policy Framework on SSRG:
- a. Establish and build capacity for a “Security Sector Reform and Governance Division” within the ECOWAS Commission under the Department for Political Affairs, Peace and Security. The Division will coordinate all ECOWAS activities on SSRG;
 - b. Undertake aggressive sensitization and communication to stakeholders in Member States of the benefits of SSRG, the need for national leadership and ownership of SSRG processes, and the need to articulate a national security policy. ECOWAS shall also use the opportunity to disseminate the ECOWAS Policy Framework for SSRG and other related instruments to security actors;
 - c. Conduct security needs assessment missions to Member States and support development of national security policy, security sector reviews and other related tasks;
 - d. Develop a medium-term Plan of Action to guide support to Member States based on the ECOWAS Policy Framework for SSRG and other related regional

- instruments on peace and security. Annual priority activities under SSRG will be determined and reviewed based on requests for SSRG assistance by Member States and the outcomes of needs assessment missions and studies;
- e. Coordinate ECOWAS assistance to Member States implementing SSRG programmes;
 - f. Assist Member States in designing, implementing, monitoring, reviewing and evaluating SSRG programmes;
 - g. Contribute to the resource mobilization strategy of Member States implementing SSRG programmes;
 - h. Establish a roster of regional experts on SSRG and facilitate their deployment to Member States that require them based on established objective criteria and requirements for specific appointments;
 - i. Support the adaptation or development of assessment tools, monitoring and evaluation templates, guidance notes, training modules, toolkits and best practices manual on SSRG;
 - j. Disseminate and promote the implementation of the Code of Conduct for the Armed Forces and Security Services of ECOWAS;
 - k. Support Member States to develop and/or implement national codes of conduct for the armed forces and security services;
 - l. Partner with Civil Society Organizations on capacity building and advocacy activities in order to disseminate the principles contained in this Policy Framework;
 - m. Develop and implement an SSRG communication and advocacy strategy engaging Member States, CSOs such

as NGOs, the media, faith-based organisations, universities and research institutions;

- n. Carry out ongoing situation assessment and analysis on SSRG for the entire region;
- o. Conduct periodic monitoring and evaluation of the status of SSRG in Member States.

B. The role of Member States (national level)

- 65.** Member States are the primary providers of security and justice services for their citizens and States. National ownership means that Member States are primarily responsible for formulating, designing, implementing, monitoring, evaluating, leading and funding SSRG programmes. The development and review process of SSRG programmes will be transparent and participatory and include a broad range of national, regional and

international stakeholders such as:

- a. Government institutions;
- b. Members of relevant parliamentary defence and security committees;
- c. Security sector and justice personnel;
- d. CSOs, Community-based organizations, youth and women organizations;
- e. Organized private sector and corporate bodies, local, national and regional chambers of commerce and industry;
- f. Think-tanks, academic and policy research institutions;
- g. Customary and traditional authorities, religious groups;
- h. Local media.

- 66.** In addition to the obligations of Member States under article 74 of the ECPF, ECOWAS encourages Member States implementing SSRG programmes and activities to:
- a. Provide a legal framework that includes a national security policy, a national security strategy, a national security sector reform vision and strategy, action plan and other relevant instruments to support SSRG programmes;
 - b. Establish a national team of experts to support the State to design, formulate, implement, monitor, review, evaluate SSRG programmes and coordinate external assistance. The national team of experts will be composed of representatives of stakeholders as mentioned in the paragraph 65 above;
 - c. Designate a national focal point on SSRG that will coordinate with the ECOWAS SSRG Division;
 - d. Provide for resources to implement national SSRG programmes and a resource mobilization strategy to secure internal and external funding;
 - e. Ensure political support to SSRG programme as part of the national development and state reform agenda;
 - f. Design and implement a communication strategy on SSRG programmes;
 - g. Provide resources to monitor and evaluate SSRG programmes;
 - h. Submit reports on an annual basis to the ECOWAS Commission on implementation of SSRG in a progressive manner.

C. The role of Civil Society Organizations and the Media

67. ECOWAS acknowledges the positive role played by CSOs and the media in promoting peace and security in West Africa in the Protocol on Democracy and Good Governance (2001) and in the ECOWAS Conflict Prevention Framework (2008). For the implementation of this Policy Framework, ECOWAS shall engage CSOs and the media to, among other things:

- a. Advocate for a better understanding, dissemination and implementation of the concepts and principles contained in this Policy Framework at the national and regional levels;
- b. Contribute to the process of designing, formulating, implementing, evaluating, reviewing and monitoring national SSRG

programmes and activities;

- c. Conduct research and training and other capacity-building activities on SSRG in West Africa in partnership with the ECOWAS Commission;
- d. Promote and encourage dialogue between national security institutions, and among civilian authorities, military establishment and the citizen sector;
- e. Participate in the formulation and design of national security policy, security sector review and needs assessment;
- f. Promote transparency and accountability in SSRG programmes and in activities of security sector actors, and ensure that the provision of security is responsive to the needs of citizens and communities;
- g. Contribute to the work of other institutions in charge of overseeing and controlling security sector institutions.



SECTION 6

**RELATIONS WITH
COOPERATING
PARTNERS**

A. Relations with the African Union (AU)

68. As a continental organization, the African Union plays a key role in supporting African Regional Economic Communities (RECs) in the area of peace and security, including on SSRG. Cooperation with the African Union will strengthen African ownership of SSRG principles, norms and values and help foster SSRG programme implementation at the regional and national levels. Through a sustainable cooperation, ECOWAS invites the African Union to, inter alia to:

- a. On the basis that RECs form the building blocks of the African Peace and Security Architecture, advocate with ECOWAS for the dissemination and implementation of the norms, values and principles of this Policy Framework in ECOWAS Member States;
- b. Promote synergy and collaborate in

areas of convergence between this Policy Framework and the AU Policy Framework on SSR in supporting SSRG in Member States;

- c. Support capacity building for an ECOWAS Security Sector Reform and Governance Division;
- d. Support ECOWAS in developing a roster of regional SSRG experts to support activities in Member States when needed;
- e. Conduct with ECOWAS joint needs assessment missions to Member States implementing SSRG programmes;
- f. Conduct with ECOWAS joint monitoring and evaluation missions to Member States implementing SSRG programmes;
- g. Support ECOWAS in the development or adaptation of monitoring and

evaluation tools, assessment and review templates, training manuals, best practices guides and guidance notes;

- h. Collaborate with ECOWAS in mobilizing external resources to support national SSRG process;

B. Relations with the United Nations

69. In the Security Council statement of 16 July 2010, the UN notes that in the context of Africa, implementation of effective SSR programs has become important elements of conflict prevention. Therefore, ECOWAS invites the UN to, among other things:

- a. Support ECOWAS in developing and adapting tools, guidance notes, templates and training manuals for the implementation of the principles, norms and values contained in this Policy Framework;

- b. Support capacity building for an ECOWAS Security Sector Reform and Governance Division;

- c. Conduct with ECOWAS joint needs assessment missions to Member States implementing SSRG processes;

- d. Support ECOWAS in mobilizing resources for the implementation of the SSRG programmes and activities in Member States;

- e. Support ECOWAS in developing a roster of regional SSRG experts and facilitating their deployment to Member States when needed;

- f. Support ECOWAS in monitoring and evaluating SSRG programmes in Member States;

- g. Support ECOWAS in the operationalization of the Code of Conduct for the Armed Forces and

Security Services of ECOWAS and other relevant regional security instruments;

- h. Collaborate with ECOWAS in conducting capacity-building activities such as training and advocacy campaigns on SSRG;

70. Relations with RECs and other international partners

Member States have the primary responsibility to lead the process of formulating, implementing, monitoring, review and evaluation of SSRG processes. ECOWAS invites International partners to, among other things:

- a. Support ECOWAS in disseminating and implementing the principles, norms and values contained in this Policy Framework;
- b. Promote knowledge sharing,

dialogues, exchange visits and cross-regional platforms for sharing of good practices in SSRG through structures such as Intergovernmental experts, WAPCCO, CCISS, CCDS, regional civil society networks and network of parliamentary defence and security committees;

- c. Conduct with ECOWAS joint needs assessment missions to Member States implementing SSRG programmes;
- d. Support ECOWAS in mobilizing resources for the implementation of SSRG in Member States;
- e. Support ECOWAS in developing a roster of regional SSRG experts and facilitating their deployment to Member States when needed;
- f. Conduct with ECOWAS monitoring and evaluation missions of SSRG programmes;

- g. Collaborate with ECOWAS in conducting capacity-building activities such as training, advocacy campaigns on SSRG;

SECTION VI

GENERAL AND FINAL PROVISIONS

- 71.** This ECOWAS Policy Framework for Security Sector Reform and Governance shall form an integral part of the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, signed in Lomé on 10 December 1999.

SECTION VIII

AMENDMENTS

- 72.** The present Policy Framework may be amended or revised by the Authority of Heads of States and Government on the recommendation of the ECOWAS Commission.

SECTION IX:

ENTRY INTO FORCE

As a Supplementary Act to the Protocol Relating to the Mechanism for Conflict Prevention,

- 73.** Management, Resolution, Peacekeeping and Security, signed in Lomé on 10 December 1999, the present Policy Framework will enter into force upon its adoption by the Authority of Heads of State and Government.

IN FAITH WHEREOF WE, THE HEADS OF STATE AND
GOVERNMENT OF THE MEMBER STATES OF THE
ECONOMIC COMMUNITY OF WEST AFRICAN STATES
(ECOWAS) HAVE SIGNED THIS SUPPLEMENTARY ACT
IN SINGLE ORIGINAL IN THE ENGLISH, FRENCH AND
PORTUGUESE LANGUAGES, ALL TEXTS BEING EQUALLY
AUTHENTIC

DONE IN DAKAR, ON 4TH JUNE 2016

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