

REPUBLIC OF NIGER

MINISTRY OF FOREIGN AFFAIRS AND COOPERATION

GENERAL SECRETARIAT

DIRECTORATE OF TRANSLATION AND INTERPRETATION



Niamey, le 08 MARS 2023

Translate from French

Climate Commission for the Sahel Region



AGREEMENT FOR THE CREATION OF THE SAHEL CLIMATE FUND



DECISION No. 02/CCRS/CCEG.02/23

Adopting the Convention for the Creation of the Sahel Climate Fund

THE CONFERENCE,

IN VIEW of the additional protocol establishing the Climate Commission for the Sahel Region;

NOTING the urgency of providing the Sahel Region with a financial mechanism for its innovative Climate Investment Plan adapted to the priorities of the member countries of the CCRS as well as to their technical capacity in terms of resource mobilization;

CONSIDERING the relevant results of the study for the establishment of the Sahel Climate Fund;

TAKE NOTE of the Recommendations of the 4th Ministerial Meeting held on October 20, 2022 in Niamey, Niger, and those of the 5th CCRS Ministerial Meeting held on November 29, 2022;

ADOPTS the agreement for the Creation of the Sahel Climate Fund, the operational tool of the financial mechanism of the Climate Investment Plan for the Sahel Region.

Done in Addis Ababa, February 17, 2023

**FOR THE CONFERENCE,
SIGNED AND SEALED BY :**

The Chairman

H.E.M MOHAMED BAZOUM

The President of the Republic of Niger

*Translated at the Direction of Translation and Interpretation
of the Ministry of Foreign Affairs by:*

HALIDOU DJIBO MOUCTAR

SIGNATURE AND SEAL



The Member States of the CCRS,

- The Republic of Benin
- The Burkina Faso
- The Republic of Cabo Verde
- The Republic of Cameroon
- The Republic of Côte d'Ivoire
- The Republic of Djibouti
- The State of Eritrea
- The Federal Republic of Ethiopia
- The Republic of Gambia
- The Republic of Guinea
- The Republic of Mali
- The Islamic Republic of Mauritania
- The Republic of Niger
- The Federal Republic of Nigeria
- The Republic of Senegal
- The Republic of Sudan
- The Republic of Chad

In view of the Constitutive Act of the African Union;

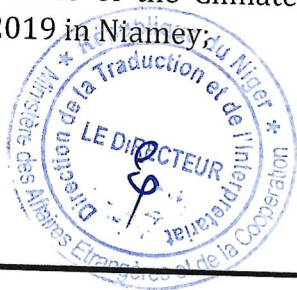
In view of the United Nations Framework Convention on Climate Change;

In view of the Paris Climate Agreement;

Considering the Declaration of African Heads of State and Government, meeting in Marrakech on November 16, 2016, having decided to create three Commissions dedicated to the fight against climate change (Sahel, Congo Basin and island States);

Considering the Decision of the 28th ordinary session of the Assembly of Heads of State and Government of the African Union, held on 30 and 31 January 2017 in Addis Ababa, ratifying the creation of the three aforementioned Commissions;

Considering the Decisions resulting from the First Conference of Heads of State and Government of the Member States of the Climate Commission for the Sahel Region (CCRS), held on February 25, 2019 in Niamey;



Recognizing the technical and financial support of the Kingdom of Morocco for the realization of the study for the establishment of the Sahel Climate Fund through the center of skills in CLIMATE change of Morocco "4C Morocco".

Reaffirming their desire for unity and solidarity in the fight against the effects of climate change in the Sahel region;

Determined to operationalize the Climate Commission for the Sahel Region;

Grateful that:

- the Sahel region is one of the most exposed and vulnerable regions to the adverse effects of climate change;
- the strengthening of peace and stability in the region requires cooperation between the States of the Climate Commission for the Sahel Region through integrative projects;
- the economic development of the countries and peoples of the Sahel must be guaranteed and their quality of life improved;
- the preservation and restoration of ecosystems in the Sahel is a key challenge for poverty reduction and the preservation of the populations' agro-pastoral production capacities in the context of climate change;
- the Sahel Region has developed a Climate Investment Plan, the implementation of which should contribute to the inclusive and sustainable development of populations.

Taking into account:

- a) the objectives of the United Nations Framework Convention on Climate Change in the context of the implementation of the Paris Agreement and Nationally Determined Contributions (NDCs);
- b) the sustainable development goals of the United Nations 2030 agenda;
- c) the targets of the Sendai Framework for Disaster Risk Reduction;
- d) the objectives of the 2063 agenda of the African Union;
- e) the Addis Ababa Action Agenda on Financing for Development;
- f) regional initiatives related to the fight against the effects of climate change;



Being resolved to put in place appropriate instruments for the mobilization of financial resources dedicated to the implementation of policies and strategies to combat the effects of climate change in the Sahel region;

Convinced of the need to create a Sahel Climate Fund intended for the mobilization and management of the financing available for the fight against climate change, including the fight against poverty and insecurity;

The States Parties agree as follows:

ARTICLE 1: DEFINITIONS AND SCOPE

Definitions

In this agreement:

- a) **"Fund"** means Sahel Climate Fund;
- b) **"State Party"** means any Member State of the CCRS, signatory to this convention;
- c) **"Associated State"** means any non-member State of the CCRS contributing to the Fund;
- d) **"Partner Organization"** means any organization or institution contributor to the Fund;
- e) **"Fiduciary Fund Manager"** means Development Bank responsible for managing the resources and assets of the Fund.

This agreement shall be interpreted in accordance with the general principles of law, recourse to a single national legal system, whatever it may be, being excluded.

Scope

This agreement applies to signatory States of the Sahel Region Climate Commission.



ARTICLE 2: PURPOSE

By this agreement, the States Parties agree to create a Fund, called "Sahel Climate Fund", for short, FCS, hereinafter referred to as "Fund".

ARTICLE 3: OBJECTIVES

The objective of the Fund is to mobilize the necessary resources from contributors and investors, with a view to financing the implementation of programs and projects contributing to sustainable development and the fight against climate change, particularly within the framework of the implementation of the Climate Investment Plan (PIC-RS) and the Priority Program to Catalyze Investments (PPCI) in the Sahel Region.

ARTICLE 4: HEAD OFFICE, ASSETS AND DEPOSITARY

4.1. Headquarter

The headquarters of the Fund is located in Abuja in the Federal Republic of Nigeria.

It may, if necessary, be transferred to another location, by decision of the Conference of Heads of State and Government of the Climate Commission of the Sahel Region.

4.2. Assets

The Fund's assets are domiciled in a financial institution. They may be transferred to any other institution, according to the terms and conditions adopted by mutual agreement.

4.3. Depositary of the Convention

The Custodian of this agreement is the Climate Commission for the Sahel Region (CCRS) represented by the Executive Secretariat.



ARTICLE 5: AREAS OF INTERVENTION

The Fund intervenes in the fight against climate change by financing actions contributing to the global effort to mitigate greenhouse gas (GHG) emissions, increase the adaptive capacities and resilience of the populations of the Sahel region taking into account the fight against poverty and insecurity.

ARTICLE 6: RESOURCES

The resources of the Fund come, in particular:

- a) contributions from States Parties,
- b) the contribution of the Associated States;
- c) contributions from Partner Organizations;
- (d) national, regional and international funding mechanisms;
- (e) innovative financing;
- f) investors;
- g) donations and legacies;
- h) subscriptions to the Fund;
- i) interest received on loans made;
- j) financial income generated by investments;
- k) concessional loans contracted with foreign countries or national, multinational or international institutions;
- l) any other resources that may be generated by the activities of the Fund.

The starting fund will be made up of:

- contributions from States Parties;
- the contributions of the Associated States;
- contributions from development partners and organizations supporting the establishment of the Fund;
- donations and legacies compatible with the objectives of the Fund.



The Fund mobilizes from States and Governments, commercial companies, foundations, trusts and any other compatible source, adequate financing according to the intended uses.

ARTICLE 7: ORGANIZATION, OPERATION AND OTHER TERMS

The modalities relating to the organization, operation and implementation of the Fund will be defined by the specific texts.

ARTICLE 8: DURATION

This agreement is established for an unlimited period.

ARTICLE 9: WITHDRAWAL

Any signatory may denounce this agreement by written notification with six (06) months notices. This withdrawal is effective at the end of the current financial year.

In the event of denunciation, measures are taken to ensure that this denunciation has no impact on previous obligations, nor on any project or activity already in progress.

In the event of any dispute, disagreement or claim arising out of or relating to this Agreement or any agreement entered into pursuant to it, the Signatories shall use their best efforts to settle the dispute by direct negotiation.

Any dispute which is not resolved within sixty (60) days from the date on which one Signatory informs the other of the nature of such dispute and the measures to be taken to remedy it, shall be resolved within the consultation between the executive directors of the Signatories or their duly authorized representatives. If the dispute cannot be settled amicably through consultation, the more diligent party may resort to international arbitration.

Any request for reinstatement is subject to the assessment of the Conference of Heads of State and Government.



ARTICLE 10: MODIFICATION

This agreement may be revised at the request of one or more Parties. The terms of review are set by the bodies of the Fund.

ARTICLE 11: ENTRY INTO FORCE

This agreement comes into force on the date of its signature.

ARTICLE 12: FINAL PROVISIONS

Any request for new membership is subject to the assessment of the Conference of Heads of State and Government or any mandated body.

IN WITNESS WHEREOF, this agreement is established in four original copies in English, Arabic, French and Portuguese. The four texts being equally authentic, will be deposited with the Executive Secretariat of the Commission.

Certified true copies will be sent to all Member States in contact with the Government of the Republic of Niger, the country holding the presidency of the Climate Commission for the Sahel Region.



DECISION N° 03/CCRS/CCEG.02/23

Fixing the modalities of the contributions of the Member States for their participation, in the 1st capitalization of the Sahel Climate Fund and in the functioning of the Executive Secretariat of the CCRS as well as that of the Sahel Climate Fund

THE CONFERENCE,

In view of the additional protocol establishing the Climate Commission for the Sahel Region;

NOTING the need to ensure the regular continuation of the operationalization of the CCRS;

TAKE NOTE of the Recommendations of the 4th Ministerial Meeting held on October 20, 2022 in Niamey, Niger, and those of the 5th CCRS Ministerial Meeting held on November 29, 2022;

FIXES the modalities of the contributions of the Member States for their participation, in the first capitalization of the Sahel Climate Fund and in the functioning of the Executive Secretariat of the CCRS as well as that of the Sahel Climate Fund, as defined below:

CCRS MEMBER COUNTRIES	(A) Common start-up, ES and FCS empowerment structuring expenses (Millions of US dollars)	(B) Provisional project co-financing costs (Millions of US dollars)	Total country contribution (A+B) (Millions of US dollars)
BENIN	6	3.85	9.85
BURKINA FASO	6	3.64	9.64
CAMEROON	6	4.57	10.57
CAPO VERDE	6	1.93	7.93
COTE-D'IVOIRE	6	3.90	9.90
DJIBOUTI	6	1.52	7.52
ERITHREA	6	1.86	7.86
ETHIOPIA	6	11.52	17.52
THE GAMBIA	6	3.78	9.78
GUINEA	6	2.95	8.95
MALI	6	9.48	15.48
MAURITANIA	6	4.40	10.40
NIGER	6	6.64	12.64
NIGERIA	6	15.99	21.99
SENEGAL	6	3.14	9.14
SUDAN	6	10.98	16.98
CHAD	6	7.85	13.85
TOTAL	102	98.00	200.00





URGES Member States to regularly pay their assessed contributions.

Done in Addis Ababa, February 17, 2023

FOR THE CONFERENCE

The President

H.E.M MOHAMED BAZOUM

President of the Republic of Niger

SIGNED AND SEALED

