

REPUBLIC OF NIGER

MINISTRY OF FOREIGN AFFAIRS AND COOPERATION

GENERAL SECRETARIAT

DIRECTORATE OF TRANSLATION AND INTERPRETATION



Niamey, on 08 MARS 2023

Translate from French

Climate Commission for the Sahel Region



2nd CONFERENCE OF HEADS OF STATE AND GOVERNMENT OF
THE CLIMATE COMMISSION FOR THE SAHEL REGION

AGREED DECISIONS

ADDIS ABABA, FEBRUARY 17th, 2023



DECISION No. 01/CCRS/CCEG.02/23

Adoption of the additional protocol establishing the Climate Commission for the Sahel Region (CCRS)

THE CONFERENCE,

In View of 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);

In View of Decision number 640 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, Ethiopia, endorsing the establishment of the three (3) Fees referred to above;

In View of the Decisions resulting from the First Conference of Heads of State and Government of the member countries of the Climate Commission for the Sahel Region (CCRS), held on February 25, 2019, in Niamey, Niger;

NOTING the need to provide the Climate Commission for the Sahel Region with dynamic, functional and consistent bodies and bodies for the missions assigned to it;

CONSIDERING 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 additional protocol establishing the Climate Commission for the Sahel Region (CCRS).

Done in Addis Ababa, on February 17, 2023

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

The Chairman

H.E. MOHAMED BAZOUM

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 DIRECTOR



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Climate Commission for the Sahel Region



ADDITIONAL PROTOCOL ESTABLISHING THE CLIMATE COMMISSION FOR THE SAHEL REGION (CCRS)



PREAMBLE

THE UNDERSIGNED HIGH CONTRACTING AUTHORITIES,

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 Agreement on Climate Change;

Considering the Declaration of the 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, Ethiopia, endorsing the creation of the three above-mentioned Commissions;

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

Reaffirming their commitment to unity and solidarity in the fight against the effects of climate change in the Sahel Region;

Resolved to operationalize the Climate Commission for the Sahel Region;

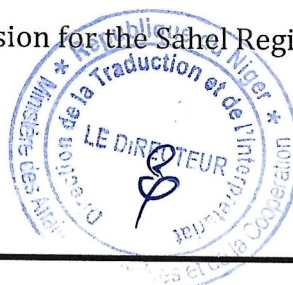
AGREED ON THE FOLLOWING

PRELIMINARY TITLE: DEFINITIONS

For the purposes of this Protocol, the following definitions shall apply:

Protocol: The Protocol establishing the Climate Commission for the Sahel Region (CCRS);

Commission: The Climate Commission for the Sahel Region;



Member States: The Republic of Benin, 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 the 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 and the Republic of Chad.

Associated State: a State Party to the United Nations Framework Convention on Climate Change and a member of the Paris Agreement, which does not have the status of member of the Commission but which is bound to it by an association agreement. The Associated State participates in the bodies of the Commission without voting rights and cannot be a member of the governing bodies of the Commission;

Observer State: Non-member State, which is a Party to the United Nations Framework Convention on Climate Change and a member of the Paris Agreement, to which a standing invitation has been sent to participate as an observer in the sessions and in the work of the Commission. The observer State takes part in the sessions in an advisory capacity without the right to vote, without the right to present draft decisions or amendments and without the right to present motions;

Sahelian African State: African State whose territory is entirely or partially located in the Sahel.

Conference: Conference of Heads of State and Government of Member States of the Commission;

Ministerial Meeting: Meeting of the Ministers in charge of the Environment of the Member States of the Commission or any other duly mandated Minister;

General Assembly: General Assembly of the Climate Sahel Fund;

Executive Secretary: Executive Secretary of the Commission;

Climate Sahel Fund: Climate Sahel Fund;

Joint Working Group (JWG): Group in charge of providing technical and scientific advice or submitting proposals.



TITLE I: GENERAL PROVISIONS

Article 1: Establishment

A Commission known as the Climate Commission for the Sahel Region (CCRS) is hereby established.

The Commission is an interstate organization designed under the aegis of the African Union.

Article 2: Principles

The States Parties to this Protocol reaffirm their adherence to the principles of the African Union and in particular their commitment to the following principles:

- Sovereign equality of all member states;
- Non-interference in the internal affairs of member states;
- Mutual and equitable distribution of benefits arising from cooperation under this Protocol.

Article 3: Status

The Commission has international legal personality and operational autonomy.

It relies on a Sahel Climate Fund and any other form of financing dedicated to climate resilience and sustainable development activities in the Sahel region.

The headquarter of the Commission is established in Niamey, Republic of Niger.

It may be transferred to any other place, by decision of the Conference of Heads of State and Government.

Article 4: Purpose

The Climate Commission for the Sahel Region aims to promote the implementation of initiatives and actions to provide sustainable responses to the effects of climate change in the Sahel Region.



To this end, it is responsible for:

- Promote priority initiatives in the fields of the fight against climate change and sustainable development;
- Promote policies and measures required for adaptation and mitigation of the effects of climate change;
- Contribute to the consolidation of Africa's commitments in the fight against the effects of climate change, to give more coherence to current or planned strategies;
- Accelerate the implementation of initiatives already identified or launched, in particular:
 - Those aimed at strengthening Africa's resilience to the threats of climate change, in particular the Africa Adaptation Initiative, the African Agriculture Adaptation Initiative, the Great Green Wall Initiative, the Initiative for Sustainability, Stability and Security, the Initiative for the Resilience of Rural Communities, or the Reinforced Action for Forests in the Mediterranean and Sahel Region in the context of climate change, Intergovernmental Authority on Development (IGAD) Drought Resilience and Sustainability Initiative (IDDRSI), Desert to Power Initiative; And
 - Those in favor of a sustainable African co-emergence, in particular the Initiative for Renewable Energy in Africa, the Initiative for the Preservation of the Lake Chad Basin Ecosystem, the Initiative for Blue Growth, or the Initiative for the Creation of an African Corridor of clean energy;
- Encourage and facilitate the participation of the private sector, non-state actors and civil society in the fight against climate change;
- Encourage and support North-South and South-South cooperation initiatives and actions;



- Establish synergies with other instruments of the African Union, particularly in terms of climate and environmental diplomacy;
- Mobilize technical and financial partners, bilateral, multilateral and non-state, to meet the challenge of climate change;
- Work to find innovative ways of financing sustainable development;
- Contribute to the implementation of sustainable development actions contributing to peace and security in the Sahel region;
- Contribute to the fight against poverty in the Sahel region.

Article 5: Member States

The members of the Climate Commission for the Sahel Region are the aforementioned African States of the Sahel Region extending from the Atlantic Ocean to the Horn of Africa, subdivided into three zones:

- Zone 1 composed of the Republic of Senegal, the Islamic Republic of Mauritania, the Republic of Cabo Verde, the Republic of Côte d'Ivoire, the Republic of Gambia and the Republic of Guinea;
- Zone 2 composed of the Republic of Mali, the Republic of Niger, the Federal Republic of Nigeria, the Republic of Benin and Burkina Faso;
- Zone 3 composed of the Republic of Cameroon, the Republic of Djibouti, the State of Eritrea, the Federal Republic of Ethiopia, the Republic of Sudan and the Republic of Chad.

Article 6: Associated State

The Kingdom of Morocco is an original Associate State of the Climate Commission for the Sahel Region.

Article 7: Working languages

The official working languages of the Commission shall be English, French, Arabic and Portuguese.



TITLE II: AUTHORITIES AND BODIES

Article 8: Authorities

The Commission has three (3) political monitoring bodies which are the Conference of Heads of State and Government, the Ministerial Meeting, the General Assembly of the Fund and one (1) technical monitoring body, namely the Working Group (JWG) of experts from Member States.

Article 9: The Conference of Heads of State and Government

The Conference of Heads of State and Government is the Supreme Authority for the governance and orientation of the Commission.

It includes all Heads of State and Government of Member States, Associated States, Observer States or their duly mandated representatives.

It is held alternately in one or the other zone according to the subdivision set out in article 5 of this Protocol.

It meets every two (2) years in ordinary session and may meet in extraordinary session when convened by its President or at the request of a Member State, subject to the approval of this request by a simple majority of the Member States.

It sets the main guidelines and strategic options.

It appoints the Executive Secretary and the Deputy Executive Secretary.

Decisions of the Conference are taken by consensus. They are binding on the Member States.

The Presidency of the Conference of Heads of State and Government rotates by zone as defined in Article 5 of this Protocol. It is ensured by the President of the Member State in which the Conference sits.



In relation with his peers, the President of the Conference of Heads of State and Government assumes the authority of the Commission, in particular with regard to:

- monitoring the implementation of the guidelines issued by the Conference of Heads of State and Government;
- the representation of the Commission at the higher authorities of regional (CAHOSCC) and international climate monitoring;
- the political and strategic steering of advocacy and the mobilization of the Commission's technical and financial partners.

Article 10: The Ministerial Meeting

The Ministerial Meeting of the Commission is made up of the Ministers responsible for the Environment of the Member States or any other duly mandated Minister.

Delegations from Associated States and Observer States may also attend Ministerial Meetings, in an advisory capacity.

It is held alternately in one or the other zone according to the subdivision set out in article 5 of this Protocol.

It takes place every two (2) years in ordinary session and can meet in extraordinary session when convened by its President or at the request of a Member State, subject to the approval of this request by a simple majority of the Member States. However, annual meetings to validate the accounts, the budget or any other agenda can be held in virtual format.

The Presidency of the Ministerial Meeting rotates by zone as defined in Article 5 of this Protocol. It is ensured by the Minister in charge of the environment of the Member State in which Reunion sits.

The vice-presidency is held by the zone which is not hosting the meeting.



The Ministerial Meeting has the following missions

- watch out to the execution of the directives of the Conference of Heads of State and Government;
- to make recommendations to the Conference on any action aimed at achieving its objectives;
- adopt the strategic framework and the overall action plan of the Commission;
- adopt the budget and the investment plan of the Executive Secretariat;
- support the Executive Secretariat in mobilizing resources;
- adopt the technical and financial activity reports of the Executive Secretary;
- appoint to positions of responsibility in addition to that of the Executive Secretary and that of the Deputy Executive Secretary;
- approve the organization chart and adopt the Staff Regulations and the procedures manuals of the Executive Secretariat;
- perform all other functions entrusted to it by the Conference of Heads of State and Government.

Article 11: The General Assembly of the Climate Sahel Fund (GA-CSF)

The General Assembly of the Sahel Climate Fund is composed of the Ministers in charge of Finance or Planning or the Economy of the Member States or any other duly mandated Minister.

It is the implementing body for the Sahel Climate Fund policy, in accordance with the guidelines issued by the Conference of Heads of State and Government.

It meets every two (2) years in ordinary session and can meet in extraordinary session when convened by its President.

Any Member State may request the holding of an extraordinary meeting subject to the approval of this request by a simple majority of the Member States.

The annual meetings for the approval of the accounts, the Budget or any other agenda can be held in virtual format.



The Presidency of the General Assembly rotates by zone as defined in article 5 of this Protocol. It is ensured by the Minister in charge of Finance or Planning or the Economy or any other duly mandated Minister of the Member State in which the Meeting is based.

The vice-presidency is held by the other zone.

The General Assembly of the Sahel Climate Fund has the following missions:

- see to the execution of the directives of the Conference of Heads of State and Government;
- to make recommendations to the Conference on any action aimed at achieving its objectives;
- adopt the strategic framework and global action plan of the Sahel Climate Fund;
- to fulfill all other functions entrusted to it by the Conference of Heads of State and Government.

Article 12: The Joint Working Group (JWG) of experts from Member States

The Joint Working Group is the technical monitoring body responsible for providing technical and scientific advice on all issues submitted to it by the Executive Secretariat and may also submit proposals to the Executive Secretariat. It is composed of:

- two National Experts designated by the Member States with voting rights;
- representatives of the Climate Commissions of the Congo Basin and of the island States in an advisory capacity;
- representatives of the Kingdom of Morocco, the Original Associated State of the Commission, in an advisory capacity;
- representatives of the Technical and Financial Partners in an advisory capacity.

In addition, the JWG can join (or call on) in an advisory capacity, any resource person or sub-regional, regional or international organizations as well as technical and financial partners for the accomplishment of its mission.

The GTC is headed on a rotating basis by a Presidium whose members are distributed among the geographical sub-regions that make up the Commission.



This presidium includes: one (1) president, two (2) vice-presidents and three (3) rapporteurs.

The term of office of the members of the JWG is three (3) years, renewable once.

The JWG shall meet in ordinary session once a year and in extraordinary session if necessary.

Article 13: The organs of the Commission

The Commission shall have two (2) operational bodies, namely the Executive Secretariat and the Sahel Climate Fund (SCF).

Article 14: The Executive Secretariat

The Executive Secretariat is the implementing body responsible for the operational conduct of the Commission's activities. It is the organ for implementing the decisions of the political bodies of the Commission and is placed under the authority of the Ministerial Meeting.

It is headed by an Executive Secretary with the rank of Minister of the Republic. Its term of office is four (4) years, renewable once (1). He/she is assisted by a Deputy Executive Secretary.

The posts of Executive Secretary and Deputy Executive Secretary shall be filled by a call for candidates from among the nationals of Member States.

The headquarters of the Executive Secretariat shall be in Niamey, Republic of Niger. In this regard, it shall be granted the privileges, immunities and advantages granted to international organizations.

Article 15: The Sahel Climate Fund

The Climate Commission for the Sahel Region shall be endowed with a fund to be known as the "Sahel Climate Fund (SCF)" which shall be financed by:

- Contributions from the States of the Sahel Region;
- Contributions from Technical and Financial Partners (TFPs)
- Contributions from international climate finance;
- Any other source of financing that falls within the Commission's objectives.



TITLE III: PARTNERSHIP FRAMEWORK OF THE COMMISSION

In addition to its authorities and bodies, the Commission relies, for the implementation and facilitation of its activities in the field, on certain partners with whom it maintains functional relations. These include, in particular, the National Working Groups and, to a certain extent, the various consultation frameworks.

Article 16: The National Working Groups (NWG)

At the national level, the NWGs constitute the relay of the Commission; they have as missions:

- to support the development and implementation of the work programs of the Executive Secretariat of the Commission
- contribute to the technical validation of study reports, projects and programs or any other document developed within the framework of the Commission
- monitor the implementation of programs, sub-programs and projects of the Climate Investment Plan for the Sahel Region (CIP-SR).

The NTF brings together state and non-state structures, the private sector and civil society involved in the implementation of the ICP-SA. The NWG, as a consultation body at the national level, shall be harmoniously integrated into the institutional arrangements of the existing national strategic frameworks of each Member State.

Article 17: Consultation frameworks

They constitute, at the local, regional and international levels, privileged instruments of participation for the stakeholders in the operationalization of the Commission. Their functioning will be determined by the Executive Secretariat in relation to the various parties.



TITLE IV: MISCELLANEOUS PROVISIONS

Article 18: Resources of the Commission

The resources of the Commission shall consist of

- contributions from member states
- contributions from partners
- Grants
- Loans
- donations and legacies;
- income and miscellaneous products.

Article 19: Accession of new members

Any other Sahelian African State that recognizes itself in the purpose of the Commission may join the Commission as a Member State.

Any application for membership shall be submitted to the Assembly of Heads of State and Government for approval.

Article 21: Amendment and Revision

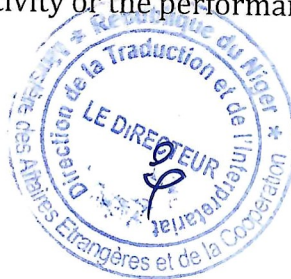
This Protocol may be amended by the Assembly of Heads of State and Government.

Amendments or revisions shall be adopted by the Assembly by consensus or, failing that, by a two-thirds majority, and shall be subject to ratification by all Member States in accordance with their respective constitutional procedures.

Any amendment or revision shall enter into force under the same conditions as this Protocol.

Article 22: Sanctions

Any member state that fails to pay its contributions may be subject to the following sanctions: deprivation of the right to speak at meetings of the Commission, of the right to vote, of the right of its nationals to hold any office or position in the organs of the Commission, of the benefit of any activity or the performance of any obligation under the Commission.



Article 23: Denunciation

Any Member State may denounce this Protocol as from the date of its entry into force.

Denunciation shall be made by written notification to the Government of the State which has deposited the instruments of ratification of the Protocol, which shall acknowledge receipt thereof and inform the other Member States.

The denunciation shall take effect one year after the date of receipt unless it has been withdrawn earlier.

Article 24: Settlement of disputes

Any dispute arising out of the application or interpretation of the provisions of this Protocol shall be settled amicably.

Failing amicable settlement, disputes shall be referred to the African Court of Justice and Human Rights.

Article 25: Entry into force

This Protocol shall enter into force thirty (30) days after the deposit of instruments of ratification by one third (1/3) of the Member States of the Commission.

This Protocol is established in four (4) original copies in English, French, Arabic and Portuguese, the four (4) texts being equally authentic. They shall be deposited with the Government of the Republic of Niger, which shall transmit certified true copies of this document to all signatory States.

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.

