

REPORT

REPORT OF THE 20TH ECOWAS-ICRC ANNUAL REVIEW MEETING ON THE IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW (IHL) IN WEST AFRICA

24 – 26 SEPTEMBER 2024 – ABUJA, NIGERIA

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I. CONTEXT

In a highly polarized global context due to geopolitical tensions, the direct and indirect repercussions of situations of violence and armed conflicts, in particular their humanitarian consequences, are now sparing no country. In such an environment, the gap between the acceptance of international humanitarian law (IHL) and its actual compliance may fuel doubts about its ability to protect populations in contemporary armed conflicts.

The year 2024 marks the 75th anniversary of the four Geneva Conventions of 12 August 1949 – cornerstones of IHL – and the 160th anniversary of the very first Geneva Convention of 1864. These anniversaries remind us of the international consensus that even war has limits and are an opportunity to reaffirm the importance of IHL for the protection of victims of armed conflict and its ability to adapt continuously to the realities on the ground.

Despite the violations noted, IHL remains relevant as a body of rules specifically designed to limit the effects of armed conflict. However, it is important to reiterate the need to work towards better implementation and compliance with its rules. While it is true that the Geneva Conventions have been ratified by all ECOWAS States and that they have largely agreed to be bound by several other treaties, such as those relating to weapons, the integration of the provisions of these treaties into national legal, institutional and practical frameworks remains decisive in order to ensure effective compliance.

This year's annual meeting was therefore an opportunity to create, outside of any political narrative, a framework for reflection, exchange of experiences and good practices on strengthening respect for IHL. It was also an opportunity for Member States, on the eve of the 34th International Conference of the Red Cross and Red Crescent (IC), to make strong commitments for the effective implementation of IHL in the ECOWAS region.

II. COLLABORATION BETWEEN THE ICRC AND ECOWAS ON THE IMPLEMENTATION OF IHL

Since 2001, the ECOWAS Commission and the International Committee of the Red Cross (ICRC) have been working together to promote respect for IHL. Formalized by a first Memorandum of Understanding between the ICRC and the ECOWAS Commission in February 2001, this collaboration has been strengthened and developed, leading to the conclusion of a second Memorandum of Understanding in August 2023.¹

Thus, for more than 20 years, ECOWAS/ICRC collaboration has aimed to support ECOWAS Member States in their implementation efforts, but also to encourage the integration of IHL into regional policies and practices.

A key activity of this collaboration is the annual review meeting on the implementation of IHL in West Africa. This annual meeting provides a framework for exchanging good practices and challenges encountered at the national level in the implementation of IHL, while identifying follow-up actions with the support of ECOWAS and the ICRC. This combination of peer review and technical capacity building helps to ensure that IHL is respected and integrated into national legislation and practical measures adopted by Member States.

Cooperation between ECOWAS and the ICRC also led to the adoption of a first ECOWAS Action Plan on the implementation of IHL (2009–2014, extended until 2018). Its successor, the ECOWAS Action Plan on the Implementation of IHL (2019–2023, extended until 2026), was the subject of an additional commitment by ECOWAS Member States at the 33rd IC.

¹ The collaboration between ECOWAS and the ICRC has been established through continuous cooperation with the Directorate of Humanitarian and Social Affairs (DAHS) in promoting the domestication of IHL in member states, political discussions and interactions, and the Directorate of Political Affairs, Peace and Security (PAPS), by organizing training on IHL for the ECOWAS Standby Force.

III. OBJECTIVES OF THE MEETING, THEME AND PARTICIPANTS

The 20th Annual ECOWAS-ICRC Review Meeting on the Implementation of IHL in West Africa was held from 24 to 26 September 2024 at the headquarters of the ECOWAS Commission in Abuja, Nigeria (*see Programme and List of Participants – Annexes I and II*).

In addition to contributing generally to compliance with IHL and other relevant legal instruments, by promoting their integration into national systems and the adoption of concrete measures by Member States, this year's meeting had the following specific objectives:

- Take stock of the progress made in 2023 and 2024 in the implementation of the ECOWAS Action Plan on IHL and the related commitment made by ECOWAS Member States at the 33rd IC;
- Present the priorities of the Member States for the year 2025;
- Present the themes and topics of the 34th IC, as well as resolutions and templates for commitments, while clarifying any issues related to conference participation and/or the engagement process;
- Strengthen the technical capacities of Member States and facilitate peer-to-peer exchanges on the implementation of IHL in general and on the theme: *“Strengthening the protection of civilians in armed conflict in West Africa: prospects for greater respect for IHL, 75 years after the adoption of the Geneva Conventions”*.

It was also a question, on the occasion of this 20th annual meeting, to present the report on the implementation of the commitment of the Member States during the 33rd IC posted on the website of the 34th IC², to decide whether the Member States would make a new commitment during the 34th IC and, if so, of the content of the latter.

Eleven (11) Member States were represented at this 20th meeting, namely: **Benin, Cape Verde, Côte d’Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Nigeria, Senegal, Sierra Leone** and **Togo**.

The participating experts were appointed by their State in their capacity as members of the National Commission on IHL (CNDIH), or as representatives of Ministries involved in the implementation of IHL, either from the Ministry of Justice or the Ministry of Foreign Affairs. It should also be noted that experts from ECOWAS, ICRC and Nigeria participated (*for the conclusions and recommendations adopted at the end of the meeting, see Annex III*).

² It should be noted that the report on the implementation of the commitment of ECOWAS Member States made at the 33rd International Conference was the subject of a validation meeting organized by ECOWAS and the ICRC and held online in June 2024.

IV. OPENING CEREMONY

The 20th annual ICRC-ECOWAS meeting began with speeches by the ICRC and then ECOWAS authorities, before being officially opened by Nigeria.

The Deputy Head of the ICRC delegation in Abuja, **Mr. Rafiullah Qureshi**, representing Mr. Yann Bonzon, head of the delegation, welcomed the participants from ECOWAS Member States, before welcoming the progress in the implementation of IHL fostered by the long-standing collaboration between the ICRC and ECOWAS. Recalling the context in which the 20th edition of the annual meeting is taking place, namely the commemoration of the 75th anniversary of the Geneva Conventions, he wished to reaffirm the relevance of IHL, although the evolution of this body of rules, in order to adapt to the contemporary challenges of its application and respect, cannot be excluded. He urged Member States to consider respect for IHL, even beyond their legal obligation, as a humanitarian necessity in an increasingly polarised world. In particular, he encouraged ECOWAS States to take the opportunity of this annual review meeting to contribute to the implementation of and respect for IHL by making a commitment on the occasion of the 34th IC, as was the case in 2019 at the 33rd IC. Finally, Mr. Rafiullah Qureshi concluded his speech by reaffirming the ICRC's commitment to support ECOWAS and its member States in their efforts to promote and implement IHL.

Following him, the Commissioner for Human Development and Social Affairs of the ECOWAS Commission, **Professor Fatou Sow Sarr**, reaffirmed the importance for ECOWAS of the good faith application by States of international human rights law (IHRL) and IHL, a conviction that is firmly anchored in the relevant instruments governing the sub-regional organization. She also stressed the positive impact of respect for the law on peace and security in the region, without which humanity would be heading towards chaos. Seizing the opportunity of the 75th anniversary of the Geneva Conventions, she urged Member States to consider this IHRL/IHL complementarity in all their efforts to prevent conflicts and other situations of violence. Finally, Professor Fatou Sow Sarr concluded her remarks by calling on States to adapt the ECOWAS IHL Action Plan to their national context and to take advantage of this 20th meeting to take stock of their actions in terms of IHL implementation.

The opening remarks were delivered by **Ms. Beatrice Jedy-Agba**, Permanent Secretary of the Ministry of Justice, representing the Attorney General of the Federation and Minister of Justice of Nigeria. The opportunity was taken to recall the commitment of ECOWAS Member States, materialized by the adoption of the IHL Action Plan 2019-2023, to make respect for IHL and humanitarian principles a regional priority. In this regard, the progress made by Nigeria in the implementation of the regional action plan, through the adoption in 2021 of a national policy on internally displaced persons, the creation of a national commission for refugees, migrants and internally displaced persons, the integration of IHL in the training of the armed forces, ... Nigeria's effective implementation of the Protocol on the Involvement of Children in Armed Conflict and Armed Conflict in the Country and in the Lake Chad Basin, as well as the implementation by the Army, relevant ministries, departments and agencies of the Agreement between the Government of Nigeria and the UNICEF Country Office in Algeria, concerning children associated with armed forces and groups, were welcomed. However, she insisted, in view of the resurgence of conflicts, on the importance of synergies of decisions and action between ECOWAS and its Member States in order to guarantee peace and security in the sub-region. She also paid tribute to the ICRC's actions for its role in facilitating interactions between influential actors, such as the CNDIH. Finally, Ms. Beatrice Jedy-Agba concluded by reaffirming Nigeria's commitment to continue to implement the ECOWAS IHL Action Plan.

With the 20th annual meeting thus open, it was up to the Master of Ceremonies, Mr. Olatunde Olayemi, Programme Officer at the Department of Human Development and Social Affairs of the ECOWAS Commission, to present the objectives of the meeting, adopt the agenda and supervise the election of the Bureau. The representative of the Ministry of Justice of Nigeria was elected Chairperson of the meeting, while the representatives of the Ministries of Justice of Ghana and Senegal were appointed by the meeting as 1st and second rapporteur respectively.

V. STATE REPORTS ON THE IMPLEMENTATION OF IHL

The annual meeting began with a debriefing session, which provided an opportunity to take stock of the progress made and challenges encountered in the implementation of the ECOWAS Action Plan on IHL and IHL 2024 priorities since the last review meeting (September 2023), and to share national IHL priorities for the year 2025. A questionnaire distributed to Member States ahead of the meeting enabled them to prepare their interventions during this session.

In their successive interventions, States were able to express their views on their participation in IHL treaties, their implementation and the activities of their IHRCs, as well as on IHL promotion activities at the national level.

The session highlighted the **progress** made by several States in the ratification of IHL treaties: The **Gambia** has acceded to the Arms Trade Treaty, while **Côte d'Ivoire** has ratified the International Convention for the Protection of All Persons from Enforced Disappearance. **Sierra Leone** also became a party to the Treaty on the Prohibition of Nuclear Weapons during the meeting, on 24 September 2024. Progress was also reported on ongoing or completed legislative processes (on internally displaced persons in **Nigeria** and on small arms and repression in **Togo**), such as the adoption of a law protecting the emblem in **Côte d'Ivoire** and the adoption of the criminal procedure act in **Sierra Leone**. The **Gambia** also reported that it had set up a technical working group on enforced disappearances.

In view of the interest shown in sharing experiences and good practices, representatives of Member States were invited to consult the databases on IHL treaties, the implementation of IHL and customary IHL on the ICRC website³, and informed by public information and/or information made available by national authorities.

Numerous **contributions** have focused on the constitution and functioning of the CNDIH. The example of **Senegal**, whose IHL Commission is integrated into the Advisory Council on Human Rights and IHL, may have inspired other Member States such as The **Gambia**, which has reaffirmed its desire to create a CNDIH, or **Ghana**, which has committed to reactivating its own by the next meeting. **Nigeria** proposed, in an exchange of good practices, to support its neighbours in this regard, and **Senegal** also outlined its efforts to provide a dedicated budget for the IHL branch of the IHL/IHL Committee to facilitate its functioning and activities. The exchanges also raised many questions about the relationship between the CNDIH and other actors such as the National Human Rights Commissions. Hence the suggestion to include several thematic sessions on the organization and functioning of the CNDIH at the next annual meeting.

Several Member States presented their **capacity-building and training initiatives in IHL and IHRL** for their armed and security forces (**Cape Verde, Guinea, Togo**), as well as for the bodies in charge of the implementation of IHL (**Senegal**).

The main **challenges** identified by Member States relate to delays in legislative processes, political instability, institutional changes, as well as the insufficient or lack of budgetary autonomy of the CNDIH.

In terms of priorities for the year 2025, several States have expressed their ambition to continue and carry out the ongoing legislative reforms, in order to better integrate IHL into the national legal framework, to adopt

³ The databases can be found here: IHL Databases – ICRC

a national action plan for the implementation of IHL in accordance with the regional action plan or to carry out activities to promote IHL among various stakeholders (*government actors, academics, parliamentarians, armed forces, etc.*)⁴.

The discussion session that followed the report presented by each State allowed the participants to share good practices (*e.g. better profile for CNDIH members allowing a balance between technical competence, availability and decision-making power; duration of the members' mandate*), to exchange on how to meet certain challenges (*e.g. mobility of CNDIH members*), as well as clarifying issues such as the difference between a National IHL Commission and a National Human Rights Commission (or Committee).

Table 1 below summarises the implementation developments reported by the eleven (11) Member States participating in the 20th meeting since September 2023 (date of the 19th meeting) and up to September 2024 (date of the 20th meeting). **Table 2**, which follows, summarises the priorities announced for the year 2025.

⁴ For the detailed report shared by the Member States as well as their priorities for 2025, see Tables below.

TABLE 1: STATUS OF IMPLEMENTATION OF NATIONAL IHL PRIORITIES SET FOR 2024

BENIN	CAPE VERDE	IVORY COAST	GAMBIA	GHANA	GUINEA
Reactivation of the CNDIH: a draft decree has been prepared and is in the process of being adopted.	Adoption of an IHL Implementation Action Plan: National Human Rights Plan 2017-2022 on Human Rights and IHL. It will be evaluated in 2025 before the adoption of a new plan. Dissemination of IHL in universities: raising awareness of IHL and building the capacity of defence and security forces, health professionals and students.	Ratification of the Arms Trade Treaty (ATT): The country has been a party to the treaty since 13 June 2024. Ratification of Protocols I & II to the Hague Convention on Cultural Property: a procedure underway but slowed down by institutional changes. Adoption of a draft order on the functioning of the permanent secretariat of the CNDIH: order drafted and in the process of being adopted.	Ratification of the Arms Trade Treaty (ATT): The country has been a party to the treaty since 13 June 2024.	Reactivation of the CNDIH: in project since 2023 at the level of the Ministry of Justice, but some blockages due to certain difficulties reported to the ICRC for its support; willingness to develop an action plan	Developments were reported on migration and refugees, sexual violence, child protection and the care of victims of natural disasters.

GUINEA BISSAU	NIGERIA	SENEGAL	SIERRA LEONE	TOGO
Developments were reported on the protection of refugees and children	Implementation of the Kampala Convention: adoption of the bill by the House of Representatives; tabling of the bill on the table of the Senate.	Revitalization of the CNDIH, capacity building of members and development of a 2024 action plan: start of training of the National Advisory Council on IHL/ IHL + training of its members. Challenges: there is still the membership of 2 ministries and the composition of the various committees, including that of IHL. Institutional instability (assignment, retirement, etc.) has an impact on the composition of the national commission. This blockage is also due to the lack of autonomy due to the non-existence of its own budget.	Kampala Convention: Draft law on the implementation of the Convention. Implementation of the Rome Statute: Insertion of IHL provisions in the Criminal Procedure Act of 2024. Ratification of the TPNW: ratification approved by the Council of Ministers in June 2023 (effective since 24.09.24, during the meeting).	Adoption of a new Penal Code: finalized by the Ministry of Justice. Adoption of a new Code of Criminal Procedure: adopted by the Council of Ministers

TABLE 2: NATIONAL IHL PRIORITIES SET FOR 2025

BENIN	CAPE VERDE	IVORY COAST	GAMBIA	GHANA	GUINEA
1. Reactivate the National Committee on IHL and train its members 2. Establish a three-year national action plan for the implementation of IHL 3. Organize a workshop on the dissemination and implementation of IHL for government officials and academics.	1. Evaluation of the National Action Plan on Human Rights and IHL and adoption of a new Plan 2. Ratification of the 1954 Hague Convention on Cultural Property and its Protocols 3. Dissemination of IHL to the armed forces and in universities	1. Ratification of Protocol III of 2005 to the Geneva Conventions 2. Ratification of Protocols I and II to the Hague Convention relative to the Protection of Cultural Property in Time of Armed Conflict. 3. Adoption of a draft order on the functioning of the permanent secretariat of the CNDIH	1. Merge the CNDIH with the existing Human Rights Commission 2. Strengthening the capacities of national IHL actors 3. Advocate for the promotion and implementation of IHL at the national level with the support of the ICRC	1. Ratification of the Kampala Convention 2. Reactivation of the CNDIH	1. Establishment of a CNDIH 2. Integration of IHL in military training centres, police and gendarmeries

GUINEA BISSAU	NIGERIA	SENEGAL	SIERRA LEONE	TOGO
Adoption of the National Action Plan on IHL	1. Implementation of the Kampala Convention 2. Implementation of the Additional Protocols to the Geneva Conventions 3. Implementation of the Arms Trade Treaty 4. Intensive training of all members of the National Committee on IHL	1. Revitalizing the CNDIH 2. Strengthening the capacities of CNDIH members 3. Develop a national action plan on IHL 4. Advocacy for the financial autonomy of the CNDIH	1. Raising awareness of IHL 2. Revitalization of the CNDIH and training of its members	1. Adoption of the Law on the Arms Regime 2. Adoption of the revised Criminal Code and Code of Criminal Procedure

VI. STRENGTHENING THE PROTECTION OF CIVILIANS IN ARMED CONFLICT IN WEST AFRICA

The 2nd day of the meeting was devoted to the following theme: *Strengthening the protection of civilians in armed conflict in West Africa: What prospects for greater respect for IHL, 75 years after the adoption of the Geneva Conventions?*

This general theme was introduced by **Pélagie Manzan Dékou**, legal advisor at CICR_ in Abidjan who, recalling the global consensus that led to the adoption in 1949 of the four Geneva Conventions so that humanity would never again have to experience atrocities similar to those of the Second World War, stressed the need for an assessment 75 years after the adoption of the said Conventions. She pointed out that while the universal ratification of the Geneva Conventions was not contested, all the States of the world having thereby indicated their willingness to be legally bound by the provisions of these treaties, it must be recognized that IHL was now under pressure. Indeed, despite the legal acceptance of its rules by all, cases of violations of IHL in ongoing armed conflicts are increasingly reported in the media. In the face of these violations, some express doubts about the ability of this body of rules to protect populations in contemporary armed conflicts. Having made this observation, Pélagie Manzan Dékou was able to conclude that the problem is not so much the acceptance of the rules, but rather the respect of them, before giving the Member States the opportunity to discuss the issue through 3 sub-themes: (1) creating an environment conducive to respect for IHL: from theory to practice; (2) to ensure compliance with IHL through traffic control and limitation of the use of weapons; (3) the importance of humanitarian diplomacy in respect of IHL.

1. CREATING AN ENABLING ENVIRONMENT FOR IHL COMPLIANCE: FROM THEORY TO PRACTICE

This first sub-theme aimed to highlight the fact that the issue of respect for IHL goes beyond the mere acceptance of the rules, requiring the adoption of concrete measures to ensure that they are effectively applied in the theatre of hostilities.

The two topics selected: *Child protection: promoting adherence to or implementation of the Paris Principles on Children Associated with Armed Forces and Armed Groups and Preventing civilian suffering in connection with hostilities: practical measures from a military point of view*, made it possible to orient the reflections in this direction.

A) CHILD PROTECTION: PROMOTING ADHERENCE TO OR IMPLEMENTATION OF THE PARIS PRINCIPLES ON CHILDREN ASSOCIATED WITH ARMED FORCES AND ARMED GROUPS

On the first topic, **Mr. Felix Nwasaeni**, Head of the Office for Children Associated with Terrorism and Armed Conflict at the Ministry of Women of Nigeria, presented the legal framework and the issues of protection of children associated with armed forces and groups (EAFAGA) who, separated from their parents, are made vulnerable, often drugged and then used by armed groups such as cooks, manufacturers of improvised explosive devices or human shields on the 1st front line. On this last point of the use of children as human

shields, which came up several times during the exchanges as a major concern in contemporary armed conflicts, it was stressed that the use of this practice by the enemy cannot justify similar behaviour on the part of the opposing party, in accordance with the principle of non-reciprocity.⁵

He also recalled that the transfer and recruitment of children, as was the case, for example, during the conflict in Sierra Leone, constituted a war crime. For children who may themselves be accused of war crimes, alternatives to judicial proceedings should be prioritised, wherever appropriate, with detention as the last resort, in line with international juvenile justice standards. For example, Nigeria, where psychosocial care for these children is provided for deradicalization and resocialization and the possibility of calling on Muslim spiritual leaders for this purpose, was cited. It also emerged from the discussions that Nigeria has special courts to hear cases involving EAFAGA, based on a special criminal procedure. Thus, at the end of the exchanges, the Member States recognized the importance of considering children under the age of 18 as victims and the need to adhere to and implement the Paris Principles.

B) PREVENTING CIVILIAN SUFFERING IN CONNECTION WITH HOSTILITIES: PRACTICAL MEASURES FROM A MILITARY PERSPECTIVE

On the second subject, **Mr. Bello Badamasi Abdulsalam**, Adviser for Relations with the Armed Forces and Security Forces at the ICRC in Abuja, began by recalling the pragmatism of IHL, based on a balance between humanity and military necessity, several of whose prohibitions include narrow exceptions to ensure that military necessity is taken into account. For example, by preventing an adversary from benefiting from humanitarian protections that it could exploit for military purposes. Despite this pragmatism, it is clear that many of the humanitarian consequences of armed conflict are linked to the failure to respect the principles governing the conduct of hostilities, due to the overly broad interpretation of what is permitted by IHL and their restrictive and erroneous vision of what is considered prohibited. In calling for good faith compliance with IHL rules on the conduct of hostilities, Mr. Abdulsalam stressed the importance of taking concrete steps to limit casualties and destruction during armed conflict beyond the incorporation of principles into military regulations and doctrine. These measures included the need to use only conventional weapons in strict compliance with the principles of the conduct of hostilities, banning those that cause unnecessary harm or indiscriminate in order to cause as few civilian casualties as possible during armed conflicts. Some precautionary measures in the attack and against the effects of attacks were also cited as examples, namely the alerts given to the population (radio, siren, loudspeaker, etc.) and avoiding the placement of military objectives near civilian objects. The importance of respecting protective signs such as those of the red cross, the red crescent or the red crystal was also stressed, as well as the importance of training for the Armed and Security Forces, including modules on punishment, training, equipment and doctrine, etc. The need to integrate IHL into the planning of operations in order to limit the impact on civilians also came up during the discussions.

2. RESPECTING AND ENFORCING IHL IN ARMS TRANSFERS AND THEIR USE

This second sub-theme highlighted the central issue of weapons in armed conflicts and, above all, the importance of taking appropriate measures to ensure that their transfer and use do not lead to serious violations of IHL.

The two topics selected, *ECOWAS Policy and Existing Practices on Arms Transfers and Use of Explosive Weapons in Populated Areas: Humanitarian Consequences and Solutions*, provided an opportunity to discuss these issues.

⁵ The obligation to respect IHL is not based on reciprocity: one party is obliged to comply with its obligations, regardless of the conduct of the other party.

A) ECOWAS POLICY AND EXISTING PRACTICES ON ARMS TRANSFERS

On the first subject, **Mr. Abayomi Adeomi**, Programme Officer in the ECOWAS Small Arms Unit, highlighted the policies and practices of the sub-regional organization, as well as the measures taken by it to ensure compliance by Member States with its policies on arms transfers.

He recalled that respect for IHL was taken into account in the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, adopted on 14 June 2006, which is the result of the process of transforming the ECOWAS moratorium on imports, the export and manufacture of small arms and light weapons into a legally binding Convention.

Clarification was then provided on the mechanism and procedures put in place by ECOWAS to regulate the transfer of arms and ammunition, as well as related equipment such as bullet vests and other items. Speaking of the transfer of arms, he referred to any movement of arms and ammunition within a Member State or between ECOWAS Member States. The principle is that Member States should prohibit the import of arms and ammunition except for legitimate security reasons. Indeed, it is accepted that a State may request an exemption for questions of self-defence, law enforcement, peace support operations, or other operations carried out under the aegis of the United Nations, the African Union, ECOWAS, or even other regional or sub-regional organizations of which it is a member. Countries affected by terrorism have been prioritized in the import of weapons as part of their fight against this phenomenon of violence (*2 weeks to process applications*).

However, the request for exemption may be refused by ECOWAS, for example if it is a prohibited category of weapons or if there is a risk that the weapons in question will end up in the hands of armed groups. The validity period of an exemption certificate is 1 year, at the end of which it must be renewed. To this end, it has been brought to the attention of the Member States that a new digitised form is being finalised. Once informed of the renewal request, the other Member States must produce a certificate of no objection for it to be accepted. Although the case has never occurred, an objection could give rise to an appeal to ECOWAS, by way of mediation.

Concerns such as porous borders, the manufacture of weapons by some armed groups and the risk that the transferred arms could contribute to human rights or IHL violations, even if they had gone through the entire transfer process, emerged from the exchanges. In response to the last point, ECOWAS referred to the border mapping developed as well as the efforts to train its Member States on the inventory and management of stockpiles for the security of armaments, in order to ensure that weapons are not diverted. Regarding the risk of diversion, Article 11 of the Arms Trade Treaty refers to a number of measures that should be taken by States Parties to avert this risk.

B) USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS: HUMANITARIAN CONSEQUENCES AND SOLUTIONS

On the second topic concerning the use of explosive weapons in populated areas, **Fahad Ahmed**, legal adviser at the ICRC's Advisory Services in Geneva, said that the problem is that weapons that in the past were designed, particularly during the Second World War, to be used against military targets in the open field, are not available in the open field. In the hills, are now in urban areas inhabited by the civilian population.

Indeed, the use of these weapons, which have a wide impact radius and lack precision as to the target to be hit (*bombs, artillery shells, missiles, mortar shells, multi-barrel rocket launchers, improvised explosive devices, etc.*), raises questions about the ability to use them in compliance with the principle of distinction between civilians and combatants during hostilities taking place in inhabited urban areas. This use raises questions more broadly about compliance with the requirements of IHL to adapt the choice of weapons and tactics in order to respect the principles of distinction, proportionality and precautions during hostilities, which are binding on all parties to an armed conflict, whether state or non-state armed group.

Thus, although there is no specific prohibition in IHL on the use of such weapons, the ICRC strongly recommends that they be avoided in populated areas on military objectives, unless every possible precaution is taken to ensure that excessive incidental damage is not caused to protected persons. However, the current observation of the direct and indirect humanitarian consequences on civilians, in the short, medium and long term (*deaths, injuries, disabilities, destruction of infrastructure, essential vital goods and services (water, electricity, etc.), problems generated by unexploded ordnance, etc.*) is extremely worrying.

Taking all possible precautions would include adopting risk mitigation measures such as the displacement of the civilian population, civilian objects, cultural property, etc. But in reality, such measures are difficult to implement, hence the urgency of simply refraining from the use of this type of weapon in populated areas.

This is the whole meaning of the diplomatic process involving 70 States which led in 2022 to the adoption of a Political Declaration on the Prohibition of the Use of Explosive Weapons in Populated Areas to which 87 States have now acceded, including Cape Verde, Senegal and Togo. This is an alternative to negotiating a more binding treaty, which is impossible in view of the highly polarised international context.

Many States have thus undertaken to avoid the use of explosive weapons in populated areas and to make their transfer to other States conditional on the fact that they are not used in populated areas. In this regard, an information sheet will be produced by the ICRC in order to highlight the practice of States in this area (*rules of engagement, military doctrines, etc.*).

ECOWAS States, which have not yet done so, have been invited to accede to this Declaration, which recognizes the risks to civilians from the use of explosive weapons in populated areas. States that have already signed on to the Political Declaration have been commended for their commitment to the protection of civilians.

3. THE IMPORTANCE OF (HUMANITARIAN) DIPLOMACY IN RESPECT OF IHL

The third and final sub-theme aimed to emphasize that respect for IHL is first and foremost a matter of political will and to highlight the role of diplomacy in the service of this political will.

The two topics selected *Respecting and ensuring respect for IHL: what are the responsibilities of States vis-à-vis the parties to the conflict?* and *Role of the Regional Economic Communities (RECs) and the African Union (AU) in respecting IHL*, made it possible to realize this.

A) RESPECTING AND ENFORCING IHL: WHAT ARE THE RESPONSIBILITIES OF STATES TOWARDS THE PARTIES TO THE CONFLICT?

On the first topic, **Lou-Salomé SORLIN**, Regional Legal Adviser for West Africa at the ICRC, explored the general principle underlying the application and implementation of IHL, namely that each State is obliged to respect and ensure respect for IHL in all circumstances. This principle, set out in article 1 common to the Geneva Conventions and reaffirmed in various legal instruments such as Additional Protocol I (article 1, paragraph 1), reflects the fundamental *pacta sunt servanda* rule of the law of treaties. She recalled that the obligation to respect and ensure respect has several aspects: (1) a negative obligation to refrain from any deliberate violation of IHL; (2) a positive domestic obligation to ensure the national implementation and enforcement of IHL; (3) a positive external obligation on States to exert bilateral or multilateral pressure on other States or warring parties to respect IHL.

Under this positive internal obligation, belligerent parties and non-belligerent States are expressly required to take “all necessary measures” to comply with their obligations. Such approaches may include a wide range of preventive, supervisory and sanctioning measures, including (a) national legislation; (b) Instructions,

military orders and legal advice; (c) the training and dissemination of all relevant information; (d) the establishment of national IHL implementation commissions; (e) technical preparation and (f) criminal prosecution.

As a matter of positive external obligation, States must do everything in their power to ensure that the humanitarian principles underlying the Geneva Conventions are universally applied. The content of the obligation to enforce will depend on the particular circumstances, including the seriousness of the violations, the means reasonably available to the State and the degree of influence it exercises over those responsible for the violation. States are in principle free to choose between the various possible measures, including diplomatic dialogue on issues relating to respect for IHL; exert diplomatic pressure through confidential demarches, protests, public denunciations, etc.

During the discussions that followed this session, the respect of the specific provisions of IHL governing humanitarian activities particularly aroused the interest and attention of Member States and ECOWAS. With regard to access to humanitarian aid,⁶ it was recalled that the ICRC's dialogue with all parties to an armed conflict, including non-State parties, is an integral part of its mandate to assist and protect victims of armed conflicts, with a view to negotiating access to those victims and ensuring acceptance of its mission as an impartial humanitarian organisation, as well as promoting respect for IHL.

Some concerns, such as the difficulties of negotiating humanitarian access with certain States that refuse to grant it, and the presumptions as to the illegal nature of activities carried out by certain organisations in support of a party to the conflict, were raised by Member States. On the last point, the possibility for ECOWAS to play a mediating role between the humanitarian organization and the government, or even to facilitate the security of humanitarian actors, was mentioned.

Humanitarian access remains an ongoing challenge in contemporary armed conflicts, hence the importance of humanitarian diplomacy and the call on Member States to use, as much as possible, their influence with parties to armed conflict, in connection with their obligation to uphold IHL, in order to facilitate access to impartial humanitarian organisations. Such initiatives will thus support the efforts already undertaken by the ICRC to this end in its capacity as guardian of IHL.

B) ROLE OF THE REGIONAL ECONOMIC COMMUNITIES (RECS) AND THE AFRICAN UNION (AU) IN RESPECTING IHL

On the second subject, **Hillary Kiboro Muchiri**, Deputy Head of the ICRC Delegation to the African Union at the ICRC in Addis Ababa, highlighted the actions taken by the AU, and then the RECs, to ensure that IHL is taken into account in policy and practice.

United Nations Security Council Resolution 2719 on U.S. peace support operations also extends to the role of the RECs. Thus, from a strategic point of view, IHL can be integrated into the complete cycle of peace support operations (PSOs), starting by defining the legal framework applicable to these operations, in order to frame their missions (*international armed conflict, non-international armed conflict, other situation of violence?*).

Once the applicable law has been determined, the next step is to formulate policies to define the AU/REC relationship, as well as with troop-contributing countries. This clarification is important because it makes it possible to determine who is responsible for compliance with IHL: the troop-contributing countries or

⁶ It was also recalled that 4 rules in IHL govern humanitarian access, namely: (1) the primary responsibility for providing assistance to victims of armed conflicts, which lies with all parties, including non-state armed groups; (2) the recognition of the right of impartial humanitarian organizations to offer their services to parties to conflict; (3) the subjection of humanitarian access to the prior consent of the belligerents, which cannot be refused in a discretionary manner, as it is linked to the main obligation – a refusal due to military necessity should therefore be limited in time at the risk of being arbitrary; (4) the creation by the parties to the conflict of conditions facilitating humanitarian access, subject to their right of control.

the regional organisation? Examples include the AU's IHL compliance framework consisting of doctrines for peace support operations (PSOs), policies on sexual abuse and violence in PSOs, on children, the protection of health care, etc.

A monitoring mechanism to correct cases of non-compliance with IHL and the effective implementation of policies should be put in place. Indeed, the existence of such a mechanism will make it possible to denounce and deal with a violation of IHL.

The prosecution of IHL violations is also an important element for the AU and the RECs to take into account in the implementation of their obligations to uphold IHL, as are reparations for victims of IHL violations. In this regard, the primary responsibility of States to prosecute the alleged perpetrators of such violations was recalled. This implies that violations of IHL are defined in the national legal framework, as well as the related procedures (*who conducts the investigation, prosecution, etc.*).

VII. CONTRIBUTION OF ECOWAS MEMBER STATES TO THE 34TH INTERNATIONAL CONFERENCE OF THE RED CROSS AND RED CRESCENT

The final session of the Meeting was dedicated to the 34th International Conference of the Red Cross and Red Crescent (IC), scheduled to take place in Geneva, Switzerland, from 28 to 31 October 2024.⁷

It was up to Pélagie Manzan Dékou, Legal Adviser at the ICRC Regional Delegation in Abidjan, to open the session by presenting *the latest updates on the 34th ICRC and to give an overview of the ICRC's latest report on "International humanitarian law and the challenges posed by contemporary armed conflicts: To establish a culture of respect for IHL to protect humanity in the conflicts of today and tomorrow."*⁸

This presentation paved the way for discussions on **the two resolutions supported by the ICRC at the 34th IC, and then on the ECOWAS Commitments to the IC.**

1. DISCUSSION ON THE TWO RESOLUTIONS SUPPORTED BY THE ICRC AT THE 34TH ICRC

This first sub-theme was moderated by **Lindsey Cameron**, head of the thematic unit of the Legal Division at the ICRC headquarters in Geneva.

Before presenting the structure of each of the two resolutions, she recalled that one of the main results of the IC was the adoption of "resolutions", which were in fact the official decisions of the IC. She then indicated that the Drafting Committee of the resolutions, in charge of finalizing them under the direction of a chairman, will work throughout the IC, in parallel with the conduct of the debates in the Committee. Once finalized, the resolutions will be presented to the plenary at the end of the AC for adoption, usually by consensus. The Chairman of the Drafting Committee had also initiated, with the Permanent Missions in Geneva, information meetings, the day of 27 October having been reserved for African chancelleries. With regard to participation in the conference, States are free to choose the composition of their delegations (officials of Permanent Missions and/or capitals), at the rate of a maximum of 5 persons per delegation.

A) RESOLUTION STRENGTHENING RESPECT FOR IHL

The two main objectives pursued by the first resolution were recalled as follows:

- Reaffirm the relevance of IHL in contemporary armed conflicts, including its essential principles, including the principles of non-reciprocity and equality of belligerents;

⁷ See the official website of the 34th International Conference: <https://rcrcconference.org/fr/about-4/34th-international-conference/>

⁸ Available at: <https://www.icrc.org/en/report/2024-icrc-report-ihl-challenges>.

- To underline the non-respect of IHL and the need to demonstrate good faith in the application of its rules, calling on States to act both at the national level, through the integration of IHL, by the highest civilian and military authorities, in their decision-making, and in their external relations with other States engaged in armed conflicts.

Feedback received from nearly 70 IC members, including States and National Red Cross or Red Crescent Societies (National Societies), has shown the need to reaffirm the importance of IHL as a legal body, as well as the principles underlying it. These comments made by the members of the IC during the preparation of the preliminary draft resolutions have been taken into account, as far as possible, in order to ensure consensus at the time of its adoption.

Compared to the IHL resolution adopted at the 33rd IC in 2019, the text of this new resolution includes some progress. Thus, paragraph 8 commits States to promote the Resolution to all parties to an armed conflict, both States and non-State armed groups, in particular when the parties to the conflict benefit from various forms of support from third States. A paragraph also encourages voluntary reporting as a tool to promote IHL. Another relates to the recognition of the reality that men, women, boys and girls face the consequences of conflict differently. The importance of ensuring strict compliance with IHL and fighting impunity when, despite all measures, violations are found is one of the strong messages of this resolution. On the other hand, the wish of some members of the IC to see specific themes such as those of children or private military and security companies added to the resolution could not be taken into account, in order to ensure a sufficiently consensual text.

B) RESOLUTION ON CYBER OPERATIONS, INFORMATION OPERATIONS AND GROWING DIGITAL THREATS DURING ARMED CONFLICT

The objectives of the second resolution, which deals with the increasing digitalization of warfare, were recalled as follows:

- To warn of the dangers that cybernetic operations and hate speech on the net during armed conflicts pose to civilians, despite the need to recognize the benefits of information and communication technologies (ICTs);
- Recognize that States and National Societies with weaker ICT capacities are the most vulnerable, hence the need for capacity building on the issue.

The resolution thus highlights the importance of protection against all cyber activities that have an impact on civilian infrastructure. Examples such as the interruption of the fibre optic cable in Ghana that cut the country off from the rest of the world were mentioned.

These dangers have led the ICRC to initiate work on the creation of a digital emblem in cyberspace, capable of signalling the protection of hospitals and any health facilities in the event of cyberattacks. The idea is that the insertion of a security certificate on search engines, when browsing the Internet, makes it possible to know that a site is protected. For hospitals and humanitarian organizations, such a digital emblem would protect their IT system. Member States were asked to support the project through the adoption of a resolution encouraging the ICRC to continue working on the feasibility of a digital emblem.

The existence of an African Common Position on Cyber Activities, which in paragraph 47 affirms that IHL applies in ICTs, while paragraphs 50 and 51 recall the principles of IHL and the way in which they are to be applied in the armed conflicts used, was welcomed.

Disinformation operations are also a matter of concern to the ICRC, which is also affected by it, as IHL does not include a general ban on the dissemination of dangerous information, apart from the prohibition on spreading terror among the population and cases of perfidy. The purpose of the resolution is therefore to put this problem on the table in order to seek lasting solutions.

Finally, with regard to the concrete impact of these two resolutions, it emerged from the discussions that

they have the advantage of encouraging States to strengthen their achievements, while urging them to put in place certain mechanisms to guarantee respect for the law. States are therefore encouraged to revise penal codes by integrating serious violations and breaches of IHL and to fight against impunity by punishing them, which necessarily involves strengthening the training of judges at the national level, to better equip them in the application of IHL.

Of course, while it is true that in international law, respect for the law depends mainly on the will of States, the fact remains that by inviting them to redouble their efforts, the IHL resolution is one of many other diplomatic tools that have the merit of strengthening the validity of the body of law that constitutes IHL and recalling its essential principles such as non-reciprocity.

2. ECOWAS COMMITMENTS AT THE INTERNATIONAL CONFERENCE

During this second sub-theme, **Jérôme TRABI**, President of the CNDIH, Deputy Director of Legislation at the Ministry of Justice and Human Rights of Côte d'Ivoire recalled that the members of the Conference are encouraged to submit "commitments", made on a voluntary basis and not legally binding, but which express a willingness to act. Commitments are powerful diplomatic tools that can be used to initiate or continue dialogue on different humanitarian issues. Thus, during the 33rd International Conference (2019), ECOWAS and its Member States submitted a joint commitment entitled *"Implementation, transposition into national laws and dissemination of international humanitarian law (IHL) in West Africa"*.⁹

This commitment, which testified to the strong will of ECOWAS Member States to implement the ECOWAS Regional Action Plan on IHL, was the subject of a report that was presented by **Mr. Olayemi Olatunde**, of the Department of Human Development and Social Affairs of the ECOWAS Commission, before the opportunity was given to all the representatives to decide on the possibility of a new engagement during the 34th IC.

A) PRESENTATION OF THE REPORT ON THE COMMITMENT ON IHL UNDERTAKEN BY ECOWAS MEMBER STATES AT THE 33RD IC

All IC members who submitted a pledge at the 33rd IC are invited to report on its implementation at the 34th IC.¹⁰

The report presented on ECOWAS engagement submitted to the 33rd IC illustrated its impact and highlighted the good practices of ECOWAS Member States in the implementation of IHL, while identifying the remaining challenges. The report, which provides a mid-term review of the Regional Action Plan and could serve as an example for other regional organizations for similar collective action, was validated at an online meeting in June, before being uploaded to the virtual platform dedicated to the International Conference.

The report highlighted that several Member States still do not have a national IHL commission or that there is confusion about its mandate and structure. The creation of CNDIH and the clarification of their mandate should therefore be among the recommendations of the meeting, as ECOWAS and the ICRC have renewed their willingness to support States in this context.

On certain themes, such as children in detention or affected by armed conflicts, it was also noted that efforts remained to be made. With regard to the fight against terrorism, several States have a law on terrorism,

⁹ Available here: <https://rcrcconference.org/pledge/mise-en-oeuvre-transposition-dans-les-lois-nationales-et-diffusion-du-droit-international-humanitaire-dih-en-afrique-de-louest/>

¹⁰ See <https://rcrcconference.org/fr/about-4/reporting/>.

some of whose provisions are likely to criminalise support for NSAGs, whereas the work of humanitarian organisations consists precisely of working in areas controlled by the latter (medical assistance, food, etc.), by negotiating access. Member States were thus invited to ensure that laws on terrorism do not contradict the principles of IHL and do not hinder the work of humanitarian organisations in contexts affected by terrorism.

Finally, with regard to the implementation measures not taken into account in the IHL action plan that is the subject of the commitment, it was indicated that little information had been reported by States (*e.g. Guinea on enforced disappearance; Togo: Cultural Property*).

B) TOWARDS AN ECOWAS COMMITMENT TO THE 34TH IC?

Plenary discussions then allowed Member States to discuss a possible ECOWAS engagement at the 34th IC. For them, it was a question of answering two questions: do the States want a commitment to the 34th IC and if so, on what themes?

From the outset of the discussions, questions such as the legal scope, at the international level, of the commitments made within the framework of the IC, or the question of whether ECOWAS would make a commitment on behalf of all States following an internal validation process, somewhat crystallized the debates. For many, prior approval by the national authorities was a condition before any commitment, regardless of its mandatory legal scope. As a reminder, in 2019, Member States were not asked to validate the commitment as this did not imply legal obligations and in reality, it essentially only reproduced the ECOWAS IHL Action Plan. For others, there was nothing to prevent the representatives of the Member States from adopting a commitment at the meeting, insofar as it is not legally binding.

Member States

After intense discussions, the Member States agreed to present a new commitment to the 34th IC, subject to the validation by their respective hierarchies of the draft that will be sent by ECOWAS and the ICRC, by official letters to the Ministers of the States represented. A follow-up will be carried out with the Member States once the letter has been sent, so that the commitment can be approved by them and uploaded to the IC website before 30 June 2025.

VIII. CONCLUSION

The 20th annual ECOWAS-ICRC meeting on the implementation of IHL in West Africa resulted in the adoption of several recommendations on the implementation of the ECOWAS action plan on IHL, but also more specifically on child protection, respect for IHL in arms transfers, and on the importance of diplomacy in respect of IHL and on the resolutions and commitment of ECOWAS at the 34th International Conference (*see Annex I*).

In his closing remarks, the Deputy Head of the ICRC Delegation in Nigeria, Mr. Rafiullah Qureshi, expressed his gratitude to the participants for their active participation and rich contribution to the discussions. While commending the progress made by ECOWAS Member States and the good practices shared in this regard, he acknowledged that many challenges remain to ensure better protection for people affected by armed conflict in the region. On the occasion of the commemoration of the 75th anniversary of the adoption of the Geneva Conventions, one of the main issues of this year's meeting was to recall the urgency of protecting civilians in conflict zones. While progress has been made, much remains to be done. He also stressed the shared responsibility to translate principles into action, ensuring that the rules are respected and applied on the ground.

A plea was made for the discussions on the resolutions on strengthening respect for IHL and the fight against digital threats in armed conflicts to serve as a solid basis for Member States' commitments at the next International Conference in October. He thus renewed the ICRC's determination to support ECOWAS and its member states in these efforts, through its technical assistance within the framework of a lasting partnership. It was by expressing his deep gratitude to the ECOWAS Commission for its continued dedication to the promotion of IHL and to all participants for their active engagement throughout this meeting that the Deputy Head of the ICRC Delegation in Nigeria concluded his remarks.

Mr. Olatunde Olayemi on behalf of the Commissioner for Human Development and Social Affairs and the Director Humanitarian and Social Affairs, thanked the ICRC for its continued collaboration on the effective promotion of IHL in West Africa and affirmed the commitment of the ECOWAS Commission to accelerating the implementation of its plans.

Ms Abimbola Ajileye, Deputy Director of the Federal Ministry of Justice of Nigeria, congratulated all participants and stressed that the achievements and commitments made by Member States should be pursued as a matter of priority. It thus closed the 20th edition of the annual ICRC/ECOWAS meeting on the implementation of IHL.

ANNEX I – RECOMMENDATIONS ADOPTED AT THE 20TH ANNUAL MEETING

OUTCOMES AND RECOMMENDATIONS OF THE 20TH ECOWAS-ICRC REVIEW MEETING ON THE IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW (IHL) IN WEST AFRICA

1. The meeting urges Member States that do not have a national IHL commission to establish or reactivate one, as such commissions are essential to guide and coordinate the implementation of IHL. It also recommends that ECOWAS and ICRC provide guidance on the functioning and organization of the CNDIH and devote a session to it at the next review meeting (including on the modalities of work between the CNDIH, national human rights commissions and similar or related bodies).
2. The meeting urged ECOWAS and the ICRC to deepen their engagement with Member States to promote the implementation of IHL at the national level. These efforts should include improved voluntary reporting, peer-to-peer exchanges, and country reviews and evaluation visits. In addition, it is essential that ECOWAS and the ICRC provide guidance on impact measurement in the implementation of the IHL Action Plan.

ON CHILD PROTECTION:

3. The meeting urges Member States to ratify/endorse and integrate/ensure compliance with treaty rules on the rights of children in armed conflict, including the 2000 Optional Protocol to the 1989 Convention on the Rights of the Child on the involvement of children in armed conflict, as well as the Paris Principles on Children Associated with Armed Forces and Armed Groups and the Security Declaration in schools, including to ensure the protection of children affected by armed conflict, to prevent the illicit recruitment and use of children by armed forces or armed groups, to develop standard operating procedures for family tracing and reunification of children affected by armed conflict, to develop assessment guidelines.
4. The meeting urges the integration of specific training on IHL, including on the protection of children in armed conflict and in particular on children associated with armed forces and armed groups, and on the treatment of child soldiers, into the training of officials (including members of the armed forces, judges, social services, etc.), as well as the need to protect schools from attacks during armed conflict

ON RESPECT FOR INTERNATIONAL HUMANITARIAN LAW IN THE TRANSFER AND USE OF ARMS:

5. The meeting recommends that Member States set up specialized structures to ensure compliance with the laws governing arms transfers.
6. The meeting invites Member States that have not yet done so to sign the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences of the Use of Explosive Weapons in Populated Areas and to adopt concrete measures at the national level for its implementation.

ON THE IMPORTANCE OF DIPLOMACY IN RESPECT OF IHL:

7. The meeting recommends further reflection on the role that ECOWAS and Member States could play in ensuring respect for IHL and facilitating humanitarian access through diplomatic means.

ON THE RESOLUTIONS AND COMMITMENT OF ECOWAS AT THE 34TH INTERNATIONAL CONFERENCE:

8. The meeting recommends that Member States support the resolutions sponsored by the ICRC at the 34th International Conference on International Humanitarian Law, including one on establishing a universal culture of respect for international humanitarian law and the other on the protection of civilians and other protected persons and objects from the potential human cost of ICT-related activities during armed conflict.
9. The meeting recommends that the ICRC and ECOWAS propose to Member States a draft commitment that ECOWAS can submit to the 34th International Conference by the deadline for submission on 30 June 2025.

Abuja, 26 September 2024.

ANNEX II – PROGRAMME OF THE MEETING

ANNUAL ECOWAS-ICRC REVIEW MEETING ON THE IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW (IHL) IN WEST AFRICA	
24-26 September 2024 – Abuja, Nigeria	
DAY 1 – SEPTEMBER 24, 2024	
09:00 – 09:30	Arrival and registration of participants
Chair of the meeting: Federal Republic of Nigeria OPENING CEREMONY Moderator: Dr. Sintiki Tarfa Ugbe , Director of Humanitarian and Social Affairs	
09:30 – 10:00	Welcome address by the ICRC accredited representative to ECOWAS Mr. Yann Bonzon, Head of the ICRC Delegation in Abuja, represented by Mr. Rafiullah Qureshi, Deputy Head of the ICRC Delegation in Abuja
	Welcome address by the ECOWAS Commission Commissioner for Human Development and Social Affairs , Prof. Fatou Sow Sarr
	Opening remarks by the Attorney General of the Federation and Minister of Justice of Nigeria represented by Ms. Beatrice Jedy-Agba, Permanent Secretary of the Ministry of Justice.
10:00 – 10:30	<i>Coffee break and group photo</i>
10:30 – 11:00	Presentation and adoption of the agenda, the objectives of the meeting, and the election of officers _ Mr. Olayemi Olatunde, Human Development and Social Affairs, ECOWAS Commission
REPORTING SESSION Taking stock of the contribution of ECOWAS Member States to improving respect for IHL: Implementation of the ECOWAS Action Plan on IHL in 2023-2024, outlook on priorities to 2025 Moderator: Olayemi Olatunde , Human Development and Social Affairs, ECOWAS Commission	
11:00 – 11:50	Report by the representatives of the Member States Benin, Ivory Coast, Cape Verde, Gambia
11:50 – 12:20	Questions & Answers
12:20 - 13:20	<i>Lunch</i>
13:20 – 14:10	Report by the representatives of the Member States Ghana, Guinea, Guinea Bissau, Liberia
14:10 – 14:40	Questions and answers
14:40 – 15:30	Report by the representatives of the Member States Nigeria, Senegal, Sierra Leone, Togo
15:30 – 16:00	Questions & Answers
16:00 – 16:30	Summary and concluding remarks ECOWAS Commission and ICRC
17:00	<i>Cocktail</i>

DAY 2 – SEPTEMBER 25, 2024	
08:30 – 09:00	Arrival of participants
09:00 – 09:30	Presentation of the theme and agenda of the day Ms. Pélagie Manzan Dékou , Legal Counsel, CICR_Abidjan
THEMATIC SESSION Strengthening the Protection of Civilians in Armed Conflict in West Africa: What Prospects for Greater Respect for IHL 75 Years After the Adoption of the Geneva Conventions?	
09:30 – 10:50	Creating an enabling environment for IHL compliance: from theory to practice. Moderator (5'): Koue Stéphane OURIGBALE, Legal Adviser, ICRC-Abidjan Speakers: Preventing civilian suffering in connection with hostilities: practical measures from a military perspective Bello Badamasi Abdulsalam, Adviser for Relations with the Armed Forces and Security Forces (20') Child protection: Promoting adherence to or implementation of the Paris Principles on Children Associated with Armed Forces and Armed Groups Mr. Felix Nwasaeni – Head of the Office for Children Associated with Terrorism and Armed Conflict, Ministry of Women, Nigeria (20') Discussions (35')
10:50 – 11:20	Coffee break
11:20 – 12:40	Respect and ensure respect for IHL in arms transfers and their use. Moderator (5'): Ruth Ifeoluwa BOLAJI, Legal Advisor, CICR_Abuja Speakers: ECOWAS policy and existing practices on arms transfers? Mr. Abayomi Adeomi, Programme Officer, Small Arms Unit, ECOWAS (20') Use of explosive weapons in populated areas: humanitarian consequences and solutions Mr. Fahad Ahmed, Legal Adviser, Advisory Services, ICRC-Geneva (20') Discussions (35')
12: 40 – 14: 00	Lunch
14: 00 – 15: 20	The importance of (humanitarian) diplomacy in respect of IHL. Moderator (5'): Juliet Kelechi Unubi, Humanitarian Affairs Advisor, CICR_Abuja Speakers: Respecting and enforcing IHL: what are the responsibilities of States towards the parties to the conflict? Ms Lou Salomé SORLIN, Regional Legal Adviser (20') Role of RECs/AU in respect of IHL? Mr. Hillary Kiboro Muchiri, Deputy Head of the ICRC Delegation to the African Union, ICRC-Addis Ababa (20') Discussions (35')
15:20 – 15:50	Recommendations and summary Moderators: ICRC and ECOWAS
15:50	End of the day

DAY 3 – SEPTEMBER 26, 2024	
08:30 – 08:45	Arrival of participants
ECOWAS contribution to the 34th International Conference of the Red Cross and Red Crescent Moderator: Olayemi Olatunde , Human Development and Social Affairs, ECOWAS Commission	
08:45 – 09:30	Latest updates on the 34th International Conference of the Red Cross and Red Crescent and Overview of the Report on “International Humanitarian Law and the Challenges of Contemporary Armed Conflicts: Building a Culture of Respect for IHL to Protect Humanity in Today’s and Tomorrow’s Conflicts” Pélagie Manzan Dékou , Legal Advisor, CICR_Abidjan
09:30 – 10:30	Discussion on the two resolutions supported by the ICRC at the 34th IC Moderator (5’): Ms Marie Berthe Emilienne Coly , ICRC-Dakar Legal Adviser Speakers: Resolution strengthening respect for IHL Ms. Lindsey Cameron, Head of the Thematic Unit of the Legal Division, CICR_Genève (10’) Resolution on Cyber Operations, Information Operations and Growing Digital Threats during Armed Conflict Ms. Lindsey Cameron, Head of the Thematic Unit of the Legal Division (on behalf of Laurent Gisel, Head of the Arms Unit of the Legal Division), ICRC-Geneva (10’) Discussions: Comments by Member States (35’)
10:30 – 11:00	<i>Coffee break</i>
11:00 – 12:20	ECOWAS commitments at the International Conference Moderator (5’): Mr. Jérôme TRABI , President of the National Commission on IHL, Deputy Director of Legislation, Ministry of Justice and Human Rights, Côte d’Ivoire Speakers: Presentation of the Report on the commitment on IHL made by ECOWAS at the 33rd IC Mr. Olayemi Olatunde, Human Development and Social Affairs, ECOWAS Commission? (10’) Towards an ECOWAS commitment to the 34th IC? ALL (plenary) Plenary discussions (1h05’)
12:20 – 13:00	Adoption of the recommendations and conclusions of the meeting Moderator: M. Olayemi Olatunde , Human Development and Social Affairs, ECOWAS Commission Plenary discussions (40’)
CLOSING SESSION Moderator: ECOWAS/ICRC	
13:00 – 13:30	Address by Mr. Rafiullah Qureshi, Deputy Head of Delegation, ICRC Abuja
13:30 – 14:30	<i>Lunch and end of the meeting</i>

APPENDIX III – LIST OF PARTICIPANTS

No.	COUNTRY	FIRST NAMES	NAMES	DUTIES	INSTITUTIONS
1	Benin	Eric-Marcel	Ahehehinnou	Magistrate	Ministry of Justice, Legislation and Human Rights
2	Benin	Dossou Rodrigue	Akohou	Deputy Director of Legal Affairs	Ministry of Foreign Affairs
3	Cabo Verde	Arlindo	Sousa Sanches	Legal Adviser of the National Commission of Human Rights and Citizenship (Comissão Nacional para os Direitos Humanos e a Cidadania - CNDHC)	Ministry of Justice
4	Ivory Coast	Guillaume	Gonat	Deputy Director of Legislation	Ministry of Foreign Affairs
5	Ivory Coast	Botty Jérôme	TraBi	President of the National Committee on IHL, Deputy Director of Legislation	Ministry of Justice and Human Rights
6	Gambia	Reneta Rohey	Jack	Senor State Counsel	Ministry of Justice
7	Ghana	Cecil	Adadevoh	Attorney	Office of the Attorney-General and Ministry of Justice
8	Ghana	Chris	Narh	Director/Consular and Humanitarian Affairs Bureau	MINISTRY OF FOREIGN AFFAIRS AND REGIONAL INTEGRATION
9	Guinea	Aminata	Nabe	Head of Refugee, Stateless and Humanitarian Assistance Department	Ministry of Foreign Affairs, African Integration and Guineans Abroad
10	Guinea Bissau	Braima Tomás Piter	Camará	Head of the ECOWAS and UEMOA Department	Ministry of Foreign Affairs
11	Nigeria	MAYENI Tunde	Youngest child	First Secretary/Foreign Service Officer, ECOWAS National Unit	Ministry of Foreign Affairs
12	Nigeria	EMPEROR Olorunkosebi	Olusegun	Assistant Chief Administrative Officer/ Ministry of Defence	Ministry of Defence
13	Nigeria	Nnnana O	Ibom	Director, International and Comparative Law Department	Ministry of Justice
14	Nigeria	Abimbola	Ayileye	Assistant Director	Ministry of Justice
15	Nigeria	Grace	Uwakwe	Principal State Counsel	Ministry of Justice
16	Nigeria	Taiwo R	Ikuomola	Chief State Counsel	Ministry of Justice
17	Senegal	Ngane	Ndour	Director of Human Rights	Ministry of Justice

18	Sierra Leone	Thomas Joe	Freeman	Senior State Counsel	Ministry of Justice
19	Togo	Komlan	Midotepe	Project Manager	Ministry of Justice and Legislation
20	Togo	Mazamesso	Kadjenda	Head of the Litigation Division in the Legal Affairs and Litigation Directorate	Ministry of Foreign Affairs
PARTICIPANTS INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)					
No.	COUNTRY	FIRST NAMES	NAMES	FUNCTIONS/TITLES	INSTITUTIONS
1	Nigeria	Yann	Bonzon	Head of Delegation	ICRC
2	Nigeria	Rafiullah	Qureshi	Head of Programs & Prevention	ICRC
3	Ivory Coast	Pelagia	Manzan Dékou	Legal Adviser above	ICRC
4	Nigeria	Juliet Kelechi	Unubi	Humanitarian Diplomacy Adviser for ECOWAS	ICRC
5	Senegal	Marie-Berthe	Chocolate	Legal adviser	ICRC
6	Nigeria	Ruth Ifeoluwa	BOLAJI	Legal adviser	ICRC
7	Ivory Coast	Koue Stéphane	Ourigbale	Legal adviser	ICRC
PARTICIPANTS ECONOMIC COMMUNITY OF WEST AFRICA STATES (ECOWAS)					
1	Nigeria	Prof. Fatou	Sow Sarr	Commissioner, Human Development and Social Affairs	ECOWAS
2	Nigeria	Dr. Sintiki	Tarfa Ugbe	Director, Humanitarian and Social Affairs	ECOWAS
3	Nigeria	Mr. Olatunde	Olayemi	Program Officer, Directorate of Humanitarian and Social Affairs	ECOWAS
4	Nigeria	AliTiloh	Bassasso Essos-sinam	Program Officer, Directorate of Humanitarian and Social Affairs	ECOWAS
5	Nigeria	Tamwakat	Elizabeth Golit	Embedded Expert, Directorate of Humanitarian and Social Affairs	ECOWAS
6	Nigeria	Osondu	Ekeh	Embedded Expert, Directorate of Humanitarian and Social Affairs	ECOWAS

The ICRC helps people around the world affected by armed conflict and other violence, doing everything it can to protect their dignity and relieve their suffering, often with its Red Cross and Red Crescent partners. The organization also seeks to prevent hardship by promoting and strengthening humanitarian law and championing universal humanitarian principles.

People know they can count on the ICRC to carry out a range of life-saving activities in conflict zones and to work closely with the communities there to understand and meet their needs. The organization's experience and expertise enables it to respond quickly, effectively and without taking sides.

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