



2019 RETREAT OF ECOWAS AMBASSADORS

Mixed flows and Durable solutions in the ECOWAS Region

Uyo, Akwa Ibom State, Federal Republic of Nigeria, 15-16 April 2019

OUTCOME DOCUMENT

1. On the joint invitation of the United Nations High Commissioner for Refugees (UNHCR), the ECOWAS Commission and the Permanent Representatives Committee (PRC), the Ambassadors and High Commissioners of ECOWAS Member States gathered in Uyo, Akwa Ibom State, Federal Republic of Nigeria, on 15-16 April 2019 for the 6th edition of the Retreat of ECOWAS Ambassadors to discuss the theme: “*Mixed flows and durable solutions in the ECOWAS Region.*”
2. The following Permanent Representatives to ECOWAS took part in the retreat:
 - H.E. Amb. Babatunde. A. Nurudeen, Ambassador, Permanent Representative of the Federal Republic of Nigeria to ECOWAS, Chair of the PRC;
 - H.E. Amb. Mrs. Paulette Adjovi Yekpe, Ambassador, Permanent Representative of the Republic of Benin to ECOWAS;
 - Mrs. Mireille Adeline Sama, Deputy Ambassador of the Republic of Burkina Faso to ECOWAS;
 - Mr. Yapi Alain, First Secretary, Representative of the Republic of Côte d'Ivoire;
 - H.E. Amb. Rashid Bawa, High Commissioner, Permanent Representative of the Republic of Ghana to ECOWAS;
 - H.E. Amb. Amadou S.O. Taal, High Commissioner, Permanent Representative of the Republic of The Gambia to ECOWAS;
 - Mr. Sekou Camara, Counselor, Representative of the Republic of Guinea;
 - H.E. Amb. Henrique Adriano da Silva, Ambassador, Permanent Representative of the Republic of Guinea-Bissau to ECOWAS;
 - H.E. Amb. Dr. Al-Hassan Conteh, Ambassador, Permanent Representative of the Republic of Liberia to ECOWAS;
 - H.E. Amb. Moustapha Traore, Ambassador, Permanent Representative of the Republic of Mali to ECOWAS;
 - H.E. Amb. Alat Mogaskia, Ambassador, Permanent Representative of the Republic of the Niger to ECOWAS;
 - H.E. Amb. Babacar Matar Ndiaye, Ambassador, Permanent Representative of the Republic of Senegal to ECOWAS;
 - H.E. Amb. Dr. Solomon Momoh Christopher Gembeh (Sr.), High Commissioner, Permanent Representative of the Republic of Sierra Leone to ECOWAS, and
 - H.E. Amb. Lènè Dimban, Ambassador, Permanent Representative of the Togolese Republic to ECOWAS.

3. Notably present at the meeting were also Dr. Siga Fatima Jagne, Commissioner Social Affairs and Gender, ECOWAS Commission, Ms. Liz Kpam Ahua, UNHCR Regional Representative for West Africa; Mr. Antonio Jose Canhandula, UNHCR Representative to Nigeria and ECOWAS; as well as Representatives of the ECOWAS Court of Justice; ECOWAS Parliament; International Organization for Migration; the United Nations Office for Drugs and Crime (UNODC); the United Nations Office for the Coordination of Humanitarian Affairs (OCHA); the African Development Bank (AFDB); the West Africa Network for Peacebuilding (WANEP); and the Secretary General of the West African Civil Society Forum (WACSOFF).
4. The retreat was opened on behalf of Dr. Udom Emmanuel, Executive Governor of Akwa Ibom State by Dr. Emmanuel E. Ekuwem, Secretary to the Akwa Ibom State Government, who expressed his deep appreciation to UNHCR and ECOWAS for holding the retreat in Akwa Ibom State. He commended UNHCR and ECOWAS for their efforts in addressing the issues of displacement in the region. He also stressed the significance of initiating new policies, as well as strengthening policies already in place, to discourage youths from taking significant risks in the hope of securing a better economic future elsewhere.
5. H.E. Amb. Babatunde A. Nurudeen, Permanent Representative of Nigeria to the ECOWAS Commission and Chair of the PRC, underscored that the flow of migrants resulting from socio-political upheavals in the ECOWAS region has led to massive displacement of people including youths who are the most viable human resource of the Sub-Region. In this connection, he highlighted that the Retreat provides an opportunity to strategize and come up with lasting and durable solutions aimed at mitigating the consequences of forced displacement.
6. Ms. Liz Kpam Ahua, UNHCR Regional Representative for West Africa, commended the achievements of the UNHCR-ECOWAS partnership. She further expressed her desire for the retreat to contribute to increasing awareness amongst ECOWAS Member States and decision makers on the issues of durable solutions and statelessness for further ratification and implementation of the relevant Conventions and better alignment of national legal frameworks to both regional and global standards. She also recalled the adoption, in December 2018, of the Global Compact on Refugees (GCR), which provides a platform for States and regional entities such as ECOWAS to make specific commitments for the improvement of the situation of refugees within their spheres of influence through the Global Refugee Forum to be held once every four years.
7. Mr. Franz Celestin, IOM Chief of Mission, stressed that the issues of statelessness, refugee protection, forcible displacement and mixed flows pose cross-cutting challenges which must be recognized in order to identify and operationalize durable solutions. He stressed on the centrality of protection and stated that IOM will continue to support UNHCR by enshrining the protection component across its programming, especially at a time when sudden and mass displacement brings compounded challenges to the dignity and well-being of people on the move.
8. On behalf of the President of the ECOWAS Commission, Dr. Siga Fatima Jagne, ECOWAS Commissioner for Gender and Social Affairs, recalled the framework of cooperation between ECOWAS and UNHCR and the commitment of ECOWAS to assisting Member States to accede to, and implement relevant regional instruments, and provide protection and solutions to persons of concern to UNHCR. She noted that the efforts of ECOWAS in assisting Member States to sign, ratify and implement the Kampala Convention of 2009, are yielding positive results. She also recalled the successes of the ECOWAS region in the area of statelessness and further noted that the challenges linked to dangerous irregular movements call for the development of a relevant

regional and country-specific legal framework, high level advocacy and sensitization for the implementation of existing frameworks.

9. After the adoption of the agenda of the retreat, Mr. Antonio Jose Canhandula, UNHCR Representative to Nigeria and ECOWAS, recalled the objectives of the retreat, as follows:
 - Examine the trends, causes and drivers of mixed population flows, and raise awareness of the current situation in the region;
 - Identify the various vulnerabilities which persons of concern, including refugees, asylum-seekers, stateless persons, and victims of trafficking, expose themselves to mixed population flows;
 - Propose solutions to emerging protection issues/concerns, while preserving regional commitments to free movement and residence rights;
 - Advocate for durable solutions for protracted refugee situations, in light of existing ECOWAS Protocols relating to Free Movement of Persons, Residence and Establishment and Supplementary Protocols;
 - Update Ambassadors/High Commissioners on current developments and recommendations of the Comprehensive Refugee Response Framework (CRRF) and Global Compact on Refugees (GCR), namely with an orientation towards alternative durable solutions, and seek a renewed commitment of ECOWAS Member States to the recommendations and principles therein;
 - Inform Ambassadors/High Commissioners of UNHCR's operations in West Africa, in terms of relevant actions, challenges and opportunities.
 - Advocate for better ownership of the Banjul Plan of Action by ECOWAS and use ECOWAS' catalytic role to increase momentum in preparation of the High Level Event on statelessness to be held in Geneva in October 2019.
 - Promote an improved protection environment for asylum seekers, refugees, internally displaced persons, stateless persons, and other persons of concern to UNHCR in mixed population flows, and
 - Advocate for durable solutions for those in protracted situations in West Africa through the domestication and purposeful implementation of existing international and regional frameworks, including relevant Protocols and ECOWAS Community Law.
10. In relation to the humanitarian situation in West Africa, UNHCR presented the key challenges, namely the protracted nature of such situations and low prospect for solutions; maintaining the civilian character of asylum; as well as access to basic services and to quality asylum determination procedures. UNHCR further highlighted the following key actions moving forward: reinforcing national frameworks; operationalizing new approaches, in particular through the Global Compact on Refugees, and strengthening the humanitarian-development nexus. ECOWAS presented on its significant contributions and achievements in addressing humanitarian situations, including the ECOWAS First Ministerial Conference on Internal Displacement and Assistance in West Africa in Abuja, 2011 and a baseline study in four Member States on the status of Internal Displacement in West Africa and the way forward on the ratification, domestication and implementation of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) in 2013 which led to eight (8) ECOWAS Member States being part of the 15 African States required to bring it into force.
11. Ambassadors/High Commissioners of the fourteen ECOWAS Member States present gave status reports on their country's respective levels of ratification, domestication and implementation of legal instruments relating to the protection of Refugees, IDPs and Stateless persons. In the course of their presentations, Member States highlighted the challenges faced in these areas. The Chair

of the PRC suggested that Member States should take steps towards internalizing relevant international Conventions with a view to addressing the issues at stake.

12. On statelessness, UNHCR and ECOWAS provided a general overview of the issue, its root causes, progress made so far with reference to the adoption of the Abidjan Declaration and Banjul Plan of Action as key milestones towards the eradication of statelessness in the ECOWAS region. UNHCR took the opportunity to inform of the upcoming High Level Event that will take place in Geneva in October 2019 to mark the mid-point of UNHCR's *#Ibelong* campaign to end statelessness by 2024. Member States were encouraged to work on concrete achievements and pledges to be presented during that event. In the course of discussions, it became clear that there was the need for increased sensitization on the concept of statelessness and its consequences on the lives of affected persons. It was agreed that UNHCR and ECOWAS would liaise with the Chair of the PRC to hold further consultations on statelessness.
13. On Durable Solutions for forcibly displaced persons, a legal expert from ECOWAS presented on the Community legal instruments that provide solutions for persons of concern. The presenter highlighted that the high incidence of non-compliance with Community laws and lack of institutional structures in some Member States to handle issues related to persons of concern pose challenges to the implementation of relevant Community laws. In its presentation, UNHCR recalled the three durable solutions for forcibly displaced persons, namely: resettlement, voluntary return and local integration, which is the viable option for the majority of protracted refugee situations in the region. UNHCR further highlighted achievements and good practices in the ECOWAS region in terms of providing durable solutions to Community citizens in protracted displacement situations.
14. On mixed movements, UNHCR in its presentation shared some statistical highlights on recent trends via the Central Mediterranean or Western Mediterranean routes. In West Africa, persons of concern to UNHCR, including refugees, asylum-seekers, stateless persons and persons at risk of statelessness, remain largely invisible among people moving within mixed flows, both within West Africa and en route to Europe. UNHCR informed on its activities to address the challenges of persons in need of international protection moving in the context of mixed flows in West Africa. ECOWAS presented the upcoming ECOWAS Regional Migration Policy, a comprehensive policy that will address many migration management challenges including mixed migration flows in the Region. The policy includes nine main pillars of which data management is one of the most critical issues. The presentation also discussed the existing coordination mechanism within the region, including the Migration Dialogue for West Africa (MIDWA), ECOWAS Heads of Immigration meetings, ECOWAS Tripartite Social Dialogue Forum and the Annual Review Meeting of the anti-trafficking National Focal points, as well as other regional and international mechanisms.
15. Participants agreed upon the following outcomes and recommendations based on group discussions:

On the protection of refugees in the context of mixed flows:

- I. Efforts to operationalize existing regional and international legal standards and policy frameworks should be redoubled;
- II. The PRC should be used for advocacy, sensitization and promotion of good governance;
- III. The ECOWAS Regional Migration Policy with corresponding Plans of Action should be adopted swiftly;

- IV. The recommendations from the Symposium on Asylum and Migration held in Dakar in December 2017 should be effectively implemented;
- V. Capacity-building of relevant actors within Member States should be reinforced;
- VI. Sensitization and awareness campaigns should be strengthened with the support of civil society actors and host communities, targeting in particular the youth;
- VII. Refugee protection should be included as a theme in the MIDWA process;
- VIII. Alternative legal pathways such as student visas, humanitarian visas, seasonal workers schemes and family reunification should be strengthened and promoted with other regions;

On durable solutions:

- IX. ECOWAS Permanent Representatives/National Offices should be part of the efforts to sensitize and raise awareness of Member States on ECOWAS Protocols on Free Movement of Persons, Residence and Establishment and migration policies to the benefit of refugees;
- X. ECOWAS should ensure that refugees are included into Member States' development schemes/plans
- XI. ECOWAS should encourage Member States to regularly undertake needs assessments and improve data collection on refugees to better inform the search for solutions;
- XII. Member States should promote awareness on refugee issues and operationalize the Global Compact on Refugees (GCR) and mobilize the efforts of all relevant stakeholders to achieve comprehensive responses;
- XIII. Member States should support self-reliant solutions through the ECOWAS stability fund, Diaspora citizens network and private sector funding;
- XIV. Initiatives such as the multipartite agreement towards local integration of refugees signed by Nigeria, Sierra-Leone, Liberia, ECOWAS and UNHCR should be replicated as best practices;
- XV. All existing monitoring ECOWAS structures/mechanisms domiciled with specific national authorities in each ECOWAS Member State should be strengthened. The authorities will be responsible for implementation through the development of Standard Operating Procedures and other instruments and tools;
- XVI. ECOWAS Ambassadors/High Commissioners should work on solving protracted refugee situations in Member States at Ambassadorial level/ECOWAS statutory meetings;
- XVII. Political will should be sought to implement all relevant legal instruments of ECOWAS by Member States;

On statelessness:

- XVIII. The Permanent Representatives will further discuss ratification of the Statelessness Conventions at Ambassadorial level, with a view to making recommendations on the issue to the ECOWAS Council of Ministers for inclusion as an agenda item for the Summit of Heads of State and Government;

- XIX. In the spirit of actualization of the vision 2020 of ECOWAS, Member States in conjunction with ECOWAS should take the lead in implementing the Protocols dealing with identification, including the issuance of ECOWAS cards and ECOWAS Passports;
- XX. Member States are encouraged to harmonize civil registration systems;
- XXI. Member States should prioritize sensitization to ensure that citizens understand the importance of birth registration and documentation;
- XXII. Member States should initiate discussions on the issue of statelessness at national level, which UNHCR and ECOWAS Commission can facilitate;
- XXIII. ECOWAS to draft Model Law on Statelessness in accordance with the Banjul Plan of Action on the Eradication of Statelessness 2017-2024.

16. Participants expressed their deep appreciation to the Government of Akwa Ibom State and its people for their hospitality. Participants further appreciated the fruitful deliberations during the retreat and information shared by UNHCR and the ECOWAS Commission and expressed their gratitude for the organization of the retreat. They also thanked the Chairman of the PRC, H.E. Amb. Babatunde. A. Nurudeen, for his leadership.

DONE IN UYO, AKWA IBOM STATE, ON TUESDAY, 16 APRIL 2019

H.E. Amb. Babatunde A. Nurudeen, Permanent Representative of Nigeria to ECOWAS, Chair of the Permanent Representatives Committee

Dr. Siga Fatima Jagne, Commissioner Social Affairs and Gender, ECOWAS Commission

Ms. Liz Kpam Ahua, UNHCR Regional Representative for West Africa

On behalf of Participants