



IGAD Protocol

ON

THE HORN OF AFRICA WILDLIFE LAW ENFORCEMENT NETWORK (HAWEN)

JN/C

PREAMBLE

WE, the Member States of the **Inter-governmental Authority on Development (IGAD)**, namely:

The Republic of Djibouti
The State of Eritrea
The Federal Democratic Republic of Ethiopia
The Republic of Kenya
The Federal Republic of Somalia
The Republic of South Sudan
The Republic of the Sudan, and
The Republic of Uganda;

Drawing from the Mandate of IGAD in Article 17 of the Agreement, to establish specialized technical institutions and networks for purposes of developing, implementing and monitoring regional Policies, Strategies, programmes, projects and initiatives to implement its mandate;

Recognizing that IGAD is a Regional Economic Community (REC), established by an Agreement among the Member States in 1986, with a mandate for regional economic cooperation, integration and sustainable development, including support for development, adoption and implementation of appropriate policies, training and research to sustainably manage wildlife and other natural resources for the benefit of the citizenry of IGAD member states;

Cognizant of the wildlife situation in the region where its number and quality is being decimated by poaching, habitat destruction, unsustainable use, and illegal trade of wildlife and derivative products;

Realizing that the problems confronting the region in sustainable management of wildlife resources, including problems arising from wildlife crime, contribute to poverty and vulnerability of communities, which are exacerbated by natural and man-made disasters and limited access to other factors of sustainable development;

Further cognizant of the fact that wildlife contributes to the sustainable development in the IGAD member states through ecosystem services, tourism, wildlife trade and other forms of sustainable wildlife use; and that the negative impact of poaching, illegal wildlife trade and trafficking threaten ecosystems, food security and livelihoods of the member states;

Also cognizant of the fact that IGAD member states have established the Horn of Africa Wildlife Law Enforcement Network (HAWEN) to cooperate at regional level in the implementation of national, regional and global wildlife law enforcement frameworks;

Further recalling that HAWEN participating countries have agreed to bring HAWEN within the IGAD framework to provide the HAWEN with political and institutional support from IGAD and ensure that the work of HAWEN supports implementation of the IGAD Wildlife Management Strategy;

Recalling that the HAWEN is an initiative begun by the IGAD Member States in 2012, with the support of partner organizations, to develop stronger and deeper cooperation towards

eliminating the serious threat posed by wildlife crime, including illegal wildlife trade and trafficking, to the natural resources and people of the IGAD region;

Also recalling the recommendations by the Steering Committee of HAWEN for IGAD to host the Secretariat of HAWEN,

Noting that the Regional Steering Committee of IGAD Biodiversity Management Programme (BMP) endorsed the recommendation of HAWEN Steering Committee and requested IGAD to host HAWEN Secretariat;

Further Noting that IGAD Secretariat agreed to host HAWEN in response to the member states' request as expressed by the recommendations of the Steering Committees of HAWEN and the IGAD BMP;

Welcoming the synergy generated by our current regional integration arrangement and the inputs of our development partners and the opportunities thereby presented to address and mitigate trans-boundary adversities that impinge on the sustainable management of the wildlife resources in the region; and

Convinced that a regional wildlife law enforcement network will support and complement member states' efforts in sustainable management of wildlife resources in the region; and noting that such a network should be developed into an IGAD Centre of Excellence for sustainable wildlife management;

NOW THEREFORE, in consideration of the above premises and their mutual covenants, hereinafter set forth, the member states hereby agree to establish HAWEN and to cooperate in the common pursuit of their development objectives in wildlife management as follows:

Article 1: Definition of terms

- (1) "Agreement" refers to the Agreement establishing Inter Governmental Authority on Development (IGAD)
- (2) "HAWEN" refers to the Horn of Africa Wildlife Law Enforcement Network established by IGAD Member States to develop and facilitate their cooperation towards prevention and combating wildlife crime in the IGAD region.
- (3) "HAWEN Executive Committee" refers to a committee composed of one representative from each HAWEN participating country and the Director of the Agriculture and Environment Division of the IGAD Secretariat.
- (4) "HAWEN Partners" refers to Governments of Non-IGAD member states or Development Partners or specialized technical institutions cooperating or participating in HAWEN activities.
- (5) "IGAD" refers to the Inter-Governmental Authority on Development with headquarters in Djibouti, Republic of Djibouti.
- (6) "Member State" refers to all the countries that form IGAD;


- (7) "Protocol" refers to this Protocol establishing the Horn of Africa Wildlife Law Enforcement Network.
- (8) "Partnership" refers to a relationships between two or more entities that is characterized by mutual cooperation, trust and responsibilities, and is oriented to the achievement of the objectives of this protocol.
- (9) "Region" refers to the geographic area covered by the Member States of IGAD, but may also include, for purposes of cooperation on wildlife management and wildlife law enforcement, areas in other states.
- (10) "Sectoral Ministerial Committee" refers to the Ministers responsible for wildlife conservation in the Governments of the member states
- (11) "Wildlife Law Enforcement" refers to actions undertaken by governments to implement, and enforce laws and regulations directed against crimes and illegal activities of any type involving wildlife resources.

ARTICLE 2: Purpose of the protocol

- (1) This Protocol establishes HAWEN as a specialized IGAD network on wildlife law enforcement to contribute to sustainable management of wildlife in IGAD region
- (2) This protocol shall govern the operational activities HAWEN as an IGAD network
- (3) To ensure that HAWEN operations are subject to this protocol, aimed at implementing the IGAD Wildlife Management Strategy and any other projects the member states may agree to jointly undertake pursuant to this protocol
- (4) To ensure that the partnership and cooperation under HAWEN is developed within the overall development frameworks, programs and projects of IGAD and in-line with the objects of African Union
- (5) To strengthen linkages among the IGAD Member States, IGAD Secretariat, HAWEN Secretariat, non-IGAD member states and authorities in the region, and HAWEN partners.
- (6) To ensure that HAWEN operations are undertaken in a consultative, consistent, coordinated, participatory and mutually beneficial manner.

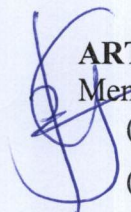

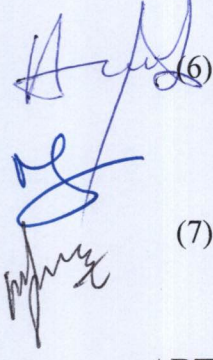
ARTICLE 3: Areas of Cooperation

Member States shall cooperate in all activities relating to wildlife law enforcement as part of implementation of IGAD Wildlife Management Strategy, including

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- (a) Wildlife crime Intelligence gathering and sharing
 - (b) Cross border joint investigations and operations against wildlife crime
 - (c) Technology and knowledge transfer
 - (d) Harmonization of policies and laws on wildlife crime
 - (e) Communication, Education and Public Awareness
 - (f) Rescue and repatriation of wildlife and wildlife products involved in crime
 - (g) Prosecution of wildlife crimes
 - (h) Law enforcement capacity development
 - (i) Any incidental matters in pursuant of the foregoing

ARTICLE 4: Obligations of Member States

Member States shall ensure Implementation of this protocol through

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- (1) Combating wildlife crime in their areas of jurisdiction
 - (2) Supporting efforts to combat wildlife crime in IGAD region and beyond
 - (3) Mainstreaming wildlife law enforcement programs across sectors at national level
 - (4) Ensuring that there are effective enabling policies and legal frameworks to support the work of HAWEN
 - (5) Making available sufficient, financial, equipment, infrastructure and human resources for implementation of this protocol
 - (6) Appointment and communication to the HAWEN Secretariat, the focal point institutions and individuals responsible for implementation of this protocol at national level. The focal point institutions and individuals shall be those responsible for wildlife conservation
 - (7) Submitting reports to the HAWEN Secretariat regarding national efforts on implementation of this protocol

ARTICLE 5: Organs of HAWEN

HAWEN shall have the following organs

- (1) Sectoral Ministerial Committee which shall be the highest sectoral policy decision making organ of HAWEN responsible for policy guidance.
- (2) (a) Executive Committee headed by a chairperson appointed by the Sectoral Ministerial committee, which shall be responsible for implementation of the decisions

of the Sectoral Ministerial Committee and supervision and guidance of the HAWEN Secretariat.

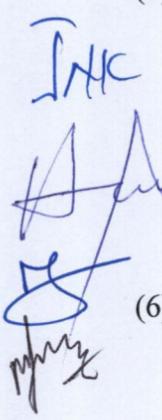
(b) Members of the Executive Committee shall be persons knowledgeable on matters of national and regional wildlife trafficking and enforcement activities and shall be of sufficient rank or authority to represent their governments in relation to the HAWEN.

- (3) HAWEN Secretariat headed by a Director appointed by the Executive Committee, which shall be responsible to the Executive Committee for day to day implementation of HAWEN programs at regional and national level.



ARTICLE 6: Management and operations of HAWEN Secretariat

- (1) HAWEN Secretariat shall be hosted by IGAD Secretariat in Djibouti
- (2) HAWEN Secretariat shall coordinate with IGAD Secretariat through the Director, Agriculture and Environment Division, and the Program Manager, Environment Protection, on policy and program matters
- (3) HAWEN Secretariat shall coordinate with the Director of IGAD Administration and Finance Division on administrative matters
- (4) (a) Recruitment of personnel in the HAWEN Secretariat shall be governed by IGAD human resources Policies, Rules and Regulations
- (b) Notwithstanding provisions of this article, HAWEN Secretariat positions may be filled by secondment and attachments from member states and HAWEN partners
- (5) HAWEN Secretariat staff shall have access to the institutional services and privileges normally available to IGAD staff, on the same basis as IGAD staff.
- (6) (a) HAWEN Secretariat shall maintain its own bank account(s), at a bank approved by IGAD Secretariat
- (b) Signatories to the HAWEN accounts shall be the Director of HAWEN Secretariat and the Director of the IGAD Administration and Finance Division
- (c) Financial accounting, reporting, and transparency of the HAWEN Secretariat shall be in accordance with IGAD Rules and Regulations
- (6) HAWEN Secretariat shall prepare its work plan and budget in accordance with IGAD annual planning procedures.



ARTICLE 7: Amendments and Modifications

Any amendments and modifications to this protocol shall be done in line with article 19 of the agreement establishing IGAD.

ARTICLE 8: Settlement of Disputes

Any dispute arising from implementation or interpretation of this protocol shall be settled in line with the provisions for dispute settlements contained in the Agreement establishing IGAD.

ARTICLE 9: Withdrawal

- (1) Any Member wishing to withdraw from the network shall submit a written notification to the Executive Secretary who shall transmit it to all Members.
- (2) The notification, if not withdrawn by the Member, shall take effect one year after its submission and the country shall cease to be a Member.
- (3) A Member that has submitted a notice to withdraw shall, during the period of notice, exercise all the rights and be subject to all obligations of a Member.
- (4) Any Member withdrawing its membership shall remain liable for any obligation arising prior to cessation of membership.

ARTICLE 10: Compliance Statement

In their Cooperation for the implementation of this protocol, all IGAD member states undertake to comply with international standards of transparency, accountability, the principle of 'do no harm' and internationally accepted human rights standards.

ARTICLE 11: Signature, ratification and adoption

- (1) This Protocol-
 - (a) shall be signed by duly authorized representatives of Member States;
 - (b) is subject to ratification in accordance with the constitutional or legal requirements and practices of Member States; and
 - (c) shall remain open for adoption or accession after its entry into force.
- (2) The Executive Secretary of IGAD shall notify all Member States of the signing, ratification, approval, accession, and entry into force of this Protocol.

ARTICLE 12: Entry into force

- (1) This Protocol shall enter into force thirty days after the receipt of the third ratification from Member States.
- (2) Upon entry into force, this Protocol shall become an integral part of the Agreement Establishing IGAD.

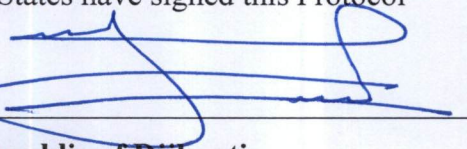
Article 13: Authenticity

A version of this protocol written in an official language of IGAD shall be equally authentic.

Done at... Addis Ababa on the... 15th day

of... November of the year... 2017

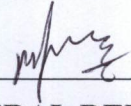
IN WITNESS WHEREOF, THE UNDERSIGNED REPRESENTING Governments of the respective States have signed this Protocol

SIGNED 

For the Republic of Djibouti

SIGNED _____

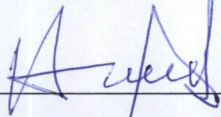
For the STATE of Eritrea

SIGNED 

For the FEDERAL DEMOCRATIC Republic of Ethiopia

SIGNED _____


For the Republic of Kenya

SIGNED 

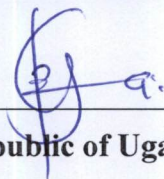
For the Federal Republic of Somalia

SIGNED 

For the Republic of South Sudan

SIGNED 

For the Republic of the Sudan

SIGNED 

For the Republic of Uganda