



OUTCOME DOCUMENT

MINISTERIAL CONFERENCE ON THE ERADICATION OF STATELESSNESS IN THE GREAT LAKES REGION

**Radisson Blu Hotel, Nairobi, Kenya
16-18 April 2019**

From 16-18 April 2019 in Nairobi, Kenya, the Government of Kenya, the Executive Secretariat of the International Conference of the Great Lakes Region (ICGLR) and the United High Commissioner for Refugees (UNHCR) co-organised a Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region. The purpose of this conference was to review the progress of Member States of the ICGLR under the Action Plan of the ICGLR on the Eradication of Statelessness (ICGLR Action Plan), and to prepare for the High-Level Segment on Stateless to be held on 7 October 2019 in Geneva, Switzerland.

The two first days of this meeting consisted of an Expert-Level Progress Review Segment, gathering approximately 90 participants from the 12 ICGLR Member States including ICGLR Member State Government statelessness focal points (ICGLR government statelessness focal points), other government and non-governmental experts, representatives from national human rights commissions, civil society representatives, leaders and members of communities in the region affected by statelessness, and technical level staff from UNHCR as well as other UN Agencies. The Ministerial Segment of the meeting was held on the third and final day, bringing together Ministers responsible for nationality matters and their delegates from the 12 ICGLR Member States. Representatives from the African Union Commission (AUC), other regional intergovernmental bodies, the Office of the Special Envoy of the Secretary-General in the Great Lakes region, as well as diplomats from a number of non-ICGLR Member States also attended. UNHCR's Director for the Regional Bureau for Africa served as the Chair for the Ministerial Segment. Ambassador Mohamed Abdi Affey, UNHCR Special Envoy for Horn of Africa also acted as a panel chair. UNHCR Representatives from each of the ICGLR States also participated, bringing the total number of participants to approximately 100 (*please see the conference agenda attached at Annex I*).

The three main outcomes of the Expert-Level Review Segment were: (i) A summary progress review from the ICGLR Secretariat, each ICGLR government statelessness focal point, and civil society representatives ; (ii) an overview of areas of possible achievements and commitments to be announced by ICGLR Member States and the ICGLR Secretariat at the High-Level Segment on Statelessness; and (iii) Agreement by the ICGLR government statelessness focal points and the ICGLR Secretariat to extend the Action Plan of the ICGLR to 2024, and to expand it to include a new strategic objective on guaranteeing access to proof of legal identity, including birth certificates, and nationality documentation (*please see the Extended Action Plan of the International Conference of the Great Lakes Region on the Eradication of Statelessness: 2017 – 2024 (Extended Action Plan) at Annex II) and the Proposed Draft Expansion to the Extended Action Plan of the International Conference of the Great Lakes Region on the eradication of statelessness at Annex III*). It was agreed that the Proposed Draft Expansion to the Extended Action Plan would subsequently be shared in writing for final review by the ICGLR government statelessness focal points and that both this document and the Extended Action Plan would be submitted well before early October 2019, for adoption by ICGLR Member States and ICGLR Secretariat at the next meeting of the ICGLR Regional Inter-Ministerial Committee (RIMC).

The Ministerial Segment held on 18 April was officially opened by Hon. Patrick Ole Ntutu, Chief Administrative Secretary for Interior and Coordination of National Government, Kenya, Mr. Zachary Muburi-Muita, Executive Secretary of the ICGLR, Mr. Volker Türk, UNHCR's Assistant High-Commissioner for Protection, and Mr. Raouf Mazou, Director of UNHCR's Regional Bureau for Africa. A keynote speech was given by Mr. Olabisi Dare, Head of the Division of Humanitarian Affairs, Refugees and Displaced Persons, (AUC). A summary report of the outcomes of the Expert-Level Review Segment was

delivered by Mr. Jacques Essissongo, ICGLR government statelessness focal point from the Republic of Congo. The Chairperson of the Makonde community, Mr. Thomas Nguli, provided a personal testimony of the impact of finally being recognized as a Kenyan citizen following decades of being left stateless. This was followed by a performance by the Makonde Dancers. On behalf of civil society organisations working on statelessness and related issues in the region, Ms. Achieng Akena, Executive Director of International Refugee Rights Initiative, delivered a statement pledging to support Governments in the region through complementary efforts to meet their commitments to eradicate statelessness.

The key outcomes of the Ministerial Segment of the conference were the following achievements and indicative pledges by ICGLR Member States, as well as organisations from the region, to be delivered at the High-Level Segment on Statelessness. These indicative pledges were delivered either by Ministers in attendance at the meeting or by their delegates (*please note that official statements delivered on 18 April 2019 are available on the [UNHCR data portal on statelessness in the Great Lakes Region](#)*) and in the case of organisations by their respective representatives at this event:

Angola

- Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- Form a technical committee on statelessness;
- Continue to provide national ID cards to all nationals;
- Ensure birth registration and certification for all new-borns in Angola, including refugee children; and
- Continue to assist former Angolan refugees in neighbouring countries who did not opt to be repatriated to Angola by issuing them with nationality documents which will then enable them to achieve a solution in this host country.

Burundi

- Before October 2019, ensure that the Parliament gives its assent to the accession process to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- Before October 2019, adopt and validate a national action plan to end statelessness;
- Before 2024, take advantage of the existing momentum to reform the nationality law; and
- By 2024, fully sensitize the people of Omani origin on the legal options available to them, including naturalisation as Burundian citizens.

Central African Republic

- Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- Reaffirm commitments made by the Government of the Central African Republic at the Ministerial Meeting in Geneva in 2011 to eradicate statelessness;
- In 2019, form an inter-ministerial committee on statelessness; and
- In 2019, finalise the national action plan to end statelessness.

Democratic Republic of Congo

- At the High-Level Segment on Statelessness, accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- In 2019, finalise the study on nationality and statelessness;
- In 2019, institutionalize the collection of data on stateless persons in the upcoming national census; and
- In 2019, promote birth registration to prevent statelessness.

Kenya

- In 2019, re-establish a task force on statelessness;

- In 2019, validate the draft National Action Plan to eradicate statelessness followed by its implementation;
- By 2020, recognise and register as Kenyan citizens members of the Shona community, who qualify for citizenship under the law;
- By 2020, enact a new Births and Deaths Registration Act that provides safeguards to prevent statelessness;
- By 2021, accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- By 2023, complete legal reforms to address and remedy statelessness in Kenya permanently; and
- Continue to provide protection for stateless persons and those at risk of statelessness to ensure that they enjoy their basic human rights.

Rwanda

- Establish a national taskforce on statelessness in collaboration with local authorities in the near future;
- Draft a concept note and terms of reference to guide the work of the taskforce;
- Conduct a census of the number of stateless persons and those at risk of statelessness in the country;
- Enact the revised nationality organic law; and
- Grant Rwandan nationality to all those found to be stateless or at risk of statelessness in the country.

Republic of Congo

- By the end of May 2019, validate the national action plan to eradicate statelessness;
- By October 2019, accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- By December 2019, ensure that any person found without a birth certificate during the national census for civil status registration and documentation be issued with a birth certificate;
- By 2021, complete the law reform to omit any discriminatory provision and others articles that may cause statelessness;
- By 2022, ensure that there are no children in the Republic of Congo without a birth certificate; and
- By 2022, put in place a national statelessness determination procedure.

South Sudan

The Minister was unable, at short notice, to attend the meeting. An official statement with indicative commitments will be forthcoming. However, on 16 April 2019, during the Expert-Level Segment of Meeting, the government statelessness focal point highlighted the following areas as those in which the Government of South Sudan is considering making commitments at the High-Level Segment on Statelessness:

- Approval of a National Action Plan;
- Accession to the two statelessness conventions;
- Law reform to introduce a safeguard in the nationality law to grant nationality to children born on the territory who would otherwise be stateless;
- Improved access to birth registration procedures for all born on the territory, including simplified late birth registration; and
- Access to documentary proof of nationality for all nationals.

Sudan

Noting the current challenges that the country is facing in terms of its political situation, Sudan nevertheless made the following indicative pledges in the expectation that these will be undertaken as soon as the political situation in the country permits:

- By the end of 2019, establish a national plan to address statelessness in Sudan;
- Continue ongoing efforts to ensure that all children born in the territory of Sudan have access to birth registration;
- Continue law reform efforts to ensure elimination of gender discrimination in nationality matters; and
- Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Uganda

- Accede to the 1961 Convention on the Reduction of Statelessness noting that the State has the option to deposit its instruments of accession at a special treaty event at the High-Level Segment in October 2019;
- By the end of 2019, finalise and approve a National Action Plan to serve as the national strategy to eradicate statelessness in the country by 2024 ;
- By 2021, complete a legal study on statelessness and citizenship in order to better understand and address the factors leaving certain populations stateless or at risk of statelessness and to support comprehensive legal and constitutional reform;
- By 2024, introduce and implement safeguard in its nationality law to grant nationality to children born on the territory who would otherwise be stateless;
- By 2024, introduce a law reform to prevent denial of attribution of nationality at birth on discriminatory grounds; and
- By 2024, ensure that the Maragoli, Benet, Ugandan-Asian and other unrecognised communities present in Uganda since before 1926 are recognised as citizens of Uganda.

United Republic of Tanzania

- Accede to and domesticate the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness;
- By the end of May 2019, establish a Government statelessness steering committee with a dedicated working group and reinforce the capacity of this steering committee for effective implementation of the pledges to be delivered at the High Level Segment on Statelessness;
- By end of May 2019, appoint an expert researcher to work with the Immigration Department for the purpose of conducting intensive study/research to ascertain the magnitude/gravity of the problem of statelessness in the country whose findings will chart the road map towards the accession and domestication of international instruments on statelessness;
- By end of June 2019, gather inputs from all stakeholders on the National Action Plan to end statelessness and table it to the Steering Committee for its validation; and
- Sensitise Members of Parliament and Senior Government Officials handling various policy and legal reforms on the issue of statelessness.

Zambia

- Take all necessary steps towards lifting reservations to the 1951 Convention Relating to the Status of Refugees and the 1954 Convention Relating to the Status of Stateless Persons;
- By the end of June 2019, establish a task force on statelessness and draft the National Action Plan for the eradication of statelessness; Take all necessary steps to complete the issuance of Residence Permits to at least 17,000 former refugees, who have opted to remain in Zambia, in collaboration with the Government of Angola;
- By the end of April 2019, launch and validate the study on “Statelessness and Issues Relating to Nationality in Zambia”; and
- By 2020, take all necessary measures to accede to the 1961 Convention on the Reduction of Statelessness.

African Union Commission (AUC)

- Continue to mainstream efforts on the collection, analysis and dissemination of data on statelessness by supporting the implementation of the Nouakchott Declaration and supporting the implementation of programs such as the Africa Programme for Accelerated Improvement of Civil Registration and Vital Statistics;
- Before October 2019, submit the draft Protocol to the African Charter on Human and Peoples' Rights on Specific Aspects of the Right to Nationality and Eradication of Statelessness in Africa for adoption by the AU Assembly;
- Throughout 2019 and beyond, fully integrate the issue of statelessness in all activities of the African Union theme of the year for 2019 "Refugees, Returnees and Internally Displaced Persons: Towards Durable Solution to Forced Displacement in Africa";
- In 2019 and beyond, strengthen the African Union's capacity building and training initiatives on statelessness by fully integrating statelessness issues in its capacity building and training initiative named "Livingstone Syllabus"; and
- Throughout 2019 and beyond, and in cooperation with the African Commission on Human and Peoples' Rights, particularly the Special Rapporteur on the Human Rights of Refugees, IDPs and Migrants, advocate for Member State ratification and implementation of the Protocol to the African Charter on Human and Peoples' Rights on Specific Aspects of the Right to Nationality and Eradication of Statelessness in Africa (once adopted) and other relevant international conventions on statelessness.

Commission of Central African Economic and Monetary Community (CEMAC)

- Building on the [N'djamena Initiative adopted in December 2018 on the eradication of statelessness in Central Africa](#), facilitate the appointment of Government Focal Points on Statelessness in all CEMAC Member States before early October 2019;; and
- By 2021, in consultation with UNHCR, commission a regional study to identify gaps in national legal frameworks on nationality and documentary proof of nationality in CEMAC Member States and partner States that could lead to statelessness, and to map profiles of those who are stateless or at risk of statelessness.

Executive Secretariat of the ICGLR

- Finalize the content of Draft Expansion of Action Plan of ICGLR with the ICGLR government focal points before the next ICGLR RIMC;
- Present the Extended Action Plan and the Expansion of the Action Plan to relevant Ministers of ICGLR Member States for their final adoption, at the next ICGLR RIMC so that the ICGLR Executive Secretariat may present this newly adopted action plan of ICGLR at the HLS.

Office of the Special Envoy of the Secretary-General for the Great Lakes region

- Continue to advocate with and work with the signatories of the Peace, Security and Cooperation Framework to implement their commitments to advance peace and security in the region, including to ensure the follow up on the conclusions of the [outcome document of the High-Level Meeting on Refugees held in Kampala in early March 2019](#) including the commitment to ensure that all individuals have access to proof of legal identity, such as birth certificates, national identity cards and travel documents in line with the ICGLR Brazzaville Declaration on the Eradication of Statelessness.

The Ministerial Segment was officially closed with final remarks from Major General (Rtd) Dr. Gordon Kihlangwa, Principal Secretary, State Department of Immigration and Citizen Services from Cabinet Secretary for Interior, Kenya, and the Regional Director for Africa Bureau, UNHCR.

(END)

Annexes:

- (i) Final agenda of the Ministerial Conference on the Eradication of Statelessness in the Great Lakes Region;

- (ii) Extended Action Plan of the ICGLR on the eradication of statelessness: 2017-2024; and

- (iii) Proposed draft: Expansion of the Action Plan of the ICGLR on the eradication of statelessness.