

Proposed draft: Expansion of the Action Plan of the ICGLR on the Eradication of Statelessness in the Great Lakes Region:

Strategic objective 4: Guarantee access to proof of legal identity, including birth certificates and nationality documentation

Lack of proof of legal identity, including birth certificates and nationality documentation, significantly raises the risk of statelessness in the Great Lakes region. Those most affected include descendants of pre-independence and other long-term migrants, border-dwelling and nomadic populations, minority groups, children of refugees and migrants in an irregular situation, and children separated from their parents, or whose parents are unknown. Civil registration is crucial to preventing statelessness because it creates a legal record of a person's family relationships. Birth registration and certification is particularly important because it documents where a person is born and who the parents are – usually the most important information needed to establish which country's nationality any person is entitled to. Rates of birth registration in countries of the Great Lakes region are generally low. Even if all births are registered, however, individuals with an entitlement to nationality under the law can be exposed to statelessness or a risk of statelessness if in practice they cannot acquire nationality documents, including nationality certificates, national identity cards or passports. Without such documentation they may be unable to access basic rights.

It is therefore of utmost importance that birth registration is timely, universal and free, and that those with an entitlement to nationality are able to acquire the documents normally issued as evidence of nationality. Improving access to birth registration, certification and nationality documentation protects the best interests of the child and helps to ensure access to basic rights, including rights to education and healthcare. Universal birth registration is an obligation of States under international and African human rights instruments.¹ Actions 7 and 8 of the Global Action Plan to End Statelessness call on States to ensure birth registration and access to nationality documentation, while Target 16.9 of the Sustainable Development Goals requires all States by 2030, to provide legal identity for all, including birth registration. For the Great Lakes Region, paragraph 27 of the Outcome Document adopted by ICGLR States at the High-Level Meeting of Ministers in Charge of Refugees on 7 March 2019 acknowledged that “access to legal identity documentation, particularly birth registration, is critical to prevent and reduce statelessness, in line with the ICGLR Brazzaville Declaration on the eradication of Statelessness.”

¹ These standards include: Article 6 of the Universal Declaration of Human Rights; Article 24(2) of the International Covenant on Civil and Political Rights; Article 7 of the Convention on the Rights of the Child; Article 29 of the Convention on Protection of Rights of All Migrant Workers and Members of their Families; Art 18 of the Convention on the Rights of Persons with Disabilities; Article 6 of the African Charter on the Rights and Welfare of the Child; and Article 7 of the Convention on the Rights of the Child, as interpreted by their respective treaty bodies.

Objective 4.1: Strengthen civil registration systems and ensure universal birth registration				
Activities	Performance Indicator	Responsible Parties	Source of Verification	Timeframe
4.1.1 Develop and implement a regional policy and programmatic framework on civil registration, including birth registration for the prevention of statelessness	Regional policy and programmatic framework established and approved	ICGLR Executive Secretariat in collaboration with ICGLR Member States, UNHCR, UNICEF, and civil society organisations	Publication of the regional policy and programmatic framework by the ICGLR	2019 – 2023
4.1.2 Reform national legislation related to civil registration to bring it in line with relevant international and regional standards.	# of States whose legislation is not in line with relevant international and regional standards that reform their legislation	ICGLR Member States	Promulgation of law/legislation amendments	2023
4.1.3 Ensure availability of birth registration services at the time of birth or as soon as possible thereafter	# of States having birth registration system that is interoperable with the health system	ICGLR Member States	State reports to ICGLR under activities 3.3.4 and 3.3.7	2023
4.1.4 Ensure availability of free and simple late birth registration procedures for all persons born in the country on equal basis	# of States that have a specific provision to facilitate access to late birth registration	ICGLR Member States	State reports to ICGLR under activities 3.3.4 and 3.3.7	2023
4.1.5 Improve access to civil registration systems, particularly for populations where low rates of civil registration are prevalent.	# of new initiatives since 2019 in place to improve access to civil registration systems	ICGLR Member States	State reports to ICGLR under activities 3.3.4 and 3.3.7	2023

	# of States where the % of civil status records have increased compared to 2019 levels (including but not limited to birth registration)			
4.1.6 Sensitize populations in which low rates of civil registration are prevalent and build the capacity of local authorities and community leaders, to actively promote birth registration, particularly amongst those populations.	# of local authorities and community leaders sensitized	ICGLR Member States, ICGLR Executive Secretariat, UNHCR, and civil society organisations	State reports to ICGLR under activities 3.3.4 and 3.3.7	Ongoing
Objective 5.2: Issue nationality documentation to those entitled to it				
Activities	Performance Indicator	Responsible Parties	Source of Verification	Timeframe
5.2.1 Develop a regional strategy and policy guidelines on accessing nationality documentation (including but not limited to nationality certificates, national identity cards or passports).	Strategy and policy guidelines developed and approved	ICGLR Executive Secretariat in collaboration with ICGLR Member States, UNHCR, and civil society organisations	Publication of the regional strategy and policy guidelines by ICGLR	2021
5.2.2 Promote practical measures to enable citizens living abroad to access civil registration services (where applicable, the transcription of civil status records established abroad) and nationality documentation through consular and administrative assistance.	Guide of good practices developed	ICGLR Executive Secretariat, UNHCR, ICGLR Member States	ICGLR Member State Report	2024
5.2.3 Establish bilateral or multilateral commissions to confirm nationality where it is in doubt, including among	# of bilateral or multilateral	ICGLR Executive Secretariat,	State reports to ICGLR under	2024

border populations and those in a migratory or nomadic situation, and to provide access to nationality documentation.	commissions established	ICGLR Member States	activities 3.3.4 and 3.3.7	
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