

Keynote speech

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Introduction

- Ambassador Yasir Mohammed, Deputy Executive Secretary and Senior Programs Manager of the International Conference on the Great Lakes Region.
- Ambassador Mohamed Abdi Affey, UNHCR Special Envoy for the Horn of Africa
- Representative of the Ministry of Foreign Affairs of the Republic of Kenya;
- Excellencies; members of the diplomatic corps; Colleagues; ladies and gentlemen;
- On behalf of UNHCR, I am honored to address this Experts Conference on Eradication of Statelessness and Access to Legal Identity Documentation in the Great Lakes Region as we approach three symbolic milestones.
- Firstly, we are approaching the end of the 10-year #IBelong campaign, which was launched in 2014.
- Secondly, we are now 4 months before the second Global Refugee Forum which is a key platform for states to renew their commit against statelessness through transformative and actionable pledges.
- Thirdly, next year, we will mark 70 years since the adoption of the Convention Relating to the Status of Stateless Persons in September 1954.
- There is no better moment to come together ahead of these milestones to reflect on progress, challenges and chart a way forward in our common efforts to eradicate statelessness.
- I would like to thank the Government of Kenya for hosting this three-day Experts Conference on the Eradication of Statelessness in the Great Lakes region. I would also like to express my gratitude to the Secretariat of the International Conference on the Great Lakes Region, delegations from each I.C.G.L.R Member State, experts, civil society groups, organizations in the region, and stateless and former stateless people for their contributions to this flagship regional event.

Stateless populations globally and in the Great Lakes region

- **Statelessness is a global challenge. It affects millions of people around the world.** In 2022, UNHCR reported over 4.4 million people as being stateless or of undetermined nationality in 95 countries. In the Great Lakes region, only 5 out of 12 countries report statelessness statistics totaling over 105,000 stateless persons and people with undetermined nationality. Yet the actual number of stateless persons globally and in the region is likely significantly higher. This reported number is just a tip of the iceberg in the region as more efforts to identify stateless people are needed.
- **As defined in the 1954 Convention Relating to the Status of Stateless Persons, a stateless person is someone who is not recognized as a national by any country**

in the world. To understand statelessness and its impact on people's lives, on communities and nations, one should go beyond the legal definition. People without a recognized nationality are vulnerable to countless injustices and deprivations of their basic rights. They are made invisible by law. Stateless persons face serious challenges in access to education, healthcare, property. On all accounts, they are left behind.

- Also of concern are populations of undetermined nationality and others at risk of statelessness, who face many of the same issues as stateless persons.
- In the Great Lakes region, **many groups affected by statelessness can be identified.** These include historical migrants and their descendants, long-term refugees and their offspring born in exile, returning refugees who have limited links to their "country of origin", cross-border populations including nomadic groups, and vulnerable children who are not recognized as nationals.

Impact of statelessness

- **Statelessness perpetuates a cycle of poverty and disfranchisement of rights,** leaving countless individuals and communities without the recognition and protection they rightfully deserve.
- **Statelessness results in individuals being deprived of access to essential rights and public services** including education, healthcare, formal employment and business licenses, property rights, access to land, and freedom of movement, amongst others. Stateless populations may also face risks of arbitrary detention and expulsion.
- **Statelessness is often inherited if it is not addressed,** leaving multiple generations without the protection afforded by a nationality. This does not just inhibit their access to rights and services, but also further marginalization and discrimination faced by these communities.
- I would like to take this opportunity to acknowledge the presence among us of the representative of stateless populations who will be speaking today and sharing with us their struggles and that of their communities towards nationality and recognition. Many thanks to Barke Khamis (Pemba representative); to Gerald Senkomo, (representing people of Rwandan descent); Esther Ntambara (representing people from Rundi descent) and Nosizi Dube (Shona representative). Thank you for joining us today.

Causes of statelessness in the region and gaps in addressing statelessness

- **While the causes of statelessness** from one region of the world to the other, and from one country to the other, we can identify the following primary causes and factors that lead to statelessness, namely:
 - **Discrimination on the basis of ethnicity or religion.** Statelessness arises where individuals of certain racial or ethnic groups are denied nationality, often at birth, on a discriminatory basis whether in law or in practice. In this context, stateless minority groups are often forced to borrow another cultural or ethnic identity to access services in the country they have always lived in, thereby losing their own cultural identity.

- **Gender discrimination** remains an important cause of statelessness in a few countries in the region, where women are unable to confer nationality to their children on an equal basis with men, leaving them at a heightened risk of statelessness. This is particularly the case where children have fathers who are unknown, stateless, or of undetermined nationality. It also affects children who are born out of wedlock, or with fathers who abandoned or died without obtaining civil registration and nationality documents for the child.
- **Consequences of state succession or the transfer of territory between states, including during colonial time.** This is another cause of statelessness in the region. This is because transitional laws enacted during states' independence or state succession regularly limited access to nationality. The impact of failing to grant nationality to certain populations at the time of independence following the end of colonization continue to be felt to this day. Consequently, the current nationality laws and administrations in the region inadequately facilitate the integration of pre-independence migrants and their descendants as nationals of the new country. There are also contexts where state succession has left considerable numbers of people stateless as these groups were perceived to have ties with the newly created State even though they lack that nationality.
- **Another major cause for concern in the region is the lack of legal safeguards to prevent childhood statelessness.** A number of states have limited nationality rights attached to birth in the territory considering that attribution of nationality follows a jus sanguinis tradition with little exceptions. Introducing guarantees to grant nationality to children born in the territory who would otherwise be stateless is therefore key. States that deny access to nationality even after successive stateless generations are born and reside in the country tend to have substantial populations of stateless individuals.
- **Lack of nationality pathways for long-term refugees and their descendants** who have established links with their country of asylum also exacerbates the risks of statelessness. In these contexts, the underlying cause of statelessness for protracted populations is often the combined lack of civil registry, nationality and identity documents.
- **Low rates of birth registration and barriers to accessing civil registration systems** also significantly increases the risk of statelessness. Such barriers may include high costs associated with obtaining birth certificates, prerequisite documentation requirements, and significant geographical distances that certain populations must cover to access civil registration services. It is important to note that not every person without a birth certificate is at risk of statelessness; however, the lack of documentation and birth registration can be risk factors especially for refugees and migrants born outside of the country of origin, cross-border populations and vulnerable children.
- **Several gaps limit the ability of States to effectively address statelessness in the region.**

- Governments in many countries **lack sufficient solid data on statelessness, including on people with undetermined nationality**, which hinders their understanding of the scale of statelessness and profiles of stateless populations in the region.
- Another significant gap is the **lack of accession to the international Statelessness Conventions** and insufficient incorporation of the provisions from these and regional instruments in domestic legislation, most notably the African Charter on the Rights and Welfare of the Child. Only 4 out of 12 States of the I.C.G.L.R are party to the 1954 Convention Relating to the Status of Stateless Persons, and 2 out of 12 are party to the 1961 Convention on the Reduction of Statelessness.

Key achievements

- **Despite all these challenges, progress is underway.**
- Since the last Ministerial Conference of the International Group of Experts on Statelessness (IGES), which took place in April 2019 in Nairobi, we have already seen **numerous positive examples of states addressing the aforementioned causes and gaps** with the aim of ending statelessness, in line with the Global Action Plan. Allow me to share some of these significant actions with you.
- **Several states have taken steps to resolve major statelessness situations.**
 - For instance, in December 2020, **Kenya** made a historic decision to grant citizenship to stateless Shona and stateless individuals of Rwandan origin who meet the criteria for Kenyan citizenship under the law. So far, nearly 1,700 Shona and 10 individuals of Rwandan origin have obtained Kenyan citizenship. In January 2023, the Kenyan government officially recognized the Pemba community as an indigenous community of Kenya, making them Kenyan citizens and instructed authorities to provide them with necessary identification documents, such as Kenyan identity cards, enabling them to access public and social services.
 - In 2021, **Rwanda** enacted a new nationality law, allowing stateless individuals to acquire Rwandan nationality.
- I would also like to acknowledge the significant number of states that have taken active measures, in collaboration with civil society and international organizations, to **ensure birth registration in order to prevent statelessness.**
 - The government of **Rwanda** has made significant progress in ensuring that every refugee, regardless of age, possesses a birth certificate, and today, over 92% of all refugees born in Rwanda have a birth certificate.
 - The governments of the **Republic of the Congo** and **Rwanda** have launched civil registration services in healthcare facilities to promote birth registration of children. In Rwanda, a "one-stop shop" approach has been established, allowing for declaration, registration, and certification of birth to be completed in one go, thereby increasing the number of people with a birth certificate.

- Regarding the **issuance of nationality documents to eligible individuals**, the Directorate of Civil Status, Nationality, Passports, and Immigration of **South Sudan** has assisted cross-border communities and other statelessness at-risk individuals in obtaining nationality documents.
- I also commend the number of states that have **adopted national action plans to eradicate statelessness**, with over half of the ICGLR member states having done so, each with a clear roadmap of steps and objectives, as well as those who have established national working groups to coordinate the implementation of these plans.
- All these achievements reflect the ambition and actions outlined in the Global Action Plan 2014-2024 to end statelessness, launched by the UNHCR in 2014 in consultation with states, civil society, and international organizations.

Opportunities and Pathway to the Future

- **It is evident that the countries in the region are making progress in their efforts against statelessness**, and today's meeting will provide an opportunity to share best practices and strengthen the collective will to comprehensively address all statelessness issues. We already see existing opportunities to foster increased cooperation among the member states of IGES, as well as with civil society and other key regional actors such as the African Commission on Human and Peoples' Rights and other AU institutions.
- We want to express our great appreciation for the **commitments made by states**, intergovernmental organizations, and civil society organizations, who made a total of 95 commitments during the High-Level Segment on Statelessness in October 2019 and the Global Refugee Forum in December 2019. These commitments, now integrated into the Global Refugee Forum, reflect a common vision to address the pressing issue of statelessness in the Great Lakes region.
- While these commitments are commendable, it should be noted that **less than half have been realized, and efforts still need to be made**. Each commitment represents an opportunity for states to demonstrate their leadership within the #IBelong campaign and take concrete actions to ensure that "no one is left behind," in line with the 2030 Agenda for Sustainable Development. The fight against statelessness is crucial for achieving sustainable development goals.
- As we approach the 2023 **Global Refugee Forum** in December, I would like to call for decisive action, urging states to seize this critical moment to fulfill existing commitments and make new strategic commitments to eradicate statelessness. This 2023 forum is also an opportunity for states that did not make commitments in 2019. Let us approach these commitments as transformative opportunities. It is through our joint efforts, cooperation, and determination that we can eradicate statelessness in the region and create a world where everyone enjoys the right to nationality and the opportunities it brings to foster inclusion, development, and peace in the region.
- Indeed, **states are not alone in this endeavor to end statelessness**. The UNHCR, other UN agencies, development actors, and civil society organizations are ready to support you with technical expertise, capacity-building, and operational support.
- To move forward, we also encourage the ICGLR member states to **maintain their support for the finalization of the Protocol on Specific Aspects of the Right to**

Nationality and the Eradication of Statelessness in Africa, preserving its progressive provisions. Let us ensure that this historic undertaking retains its strength to address the unique challenges Africa faces, promoting an environment where the rights and dignity of those affected by statelessness are respected. Its key provisions addressing issues of discrimination in nationality laws, statelessness of children, and limited access to nationality documents are essential to strengthen inclusion and justice.

Allow me to end by thanking all of you for your dedication to this vital cause and let us advance together with renewed resolve and compassion to resolve and prevent statelessness in the Great Lakes Region.

Thank you for your attention.