



CONCEPT NOTE

Experts Conference on eradication of statelessness & access to legal identity documentation in the Great Lakes Region

Tuesday 25 July to Thursday 27 July 2023 – Nairobi, Kenya (venue TBC)

1) Background

Statelessness is the lack of any recognized nationality. The right to a nationality and access to legal identity documentation for all, including a birth certificate and a conclusive proof of nationality remain the gateway for individuals to effectively enjoy all their socio-economic rights and ensure their full inclusion in the state they live in. However, thousands of people in the Great Lakes region remain without any recognized nationality and individual documentation, despite being born in the country and living there ever since. At times they do not even have a birth certificate as proof of their parentage and place of birth, though this is key to establish an entitlement to a nationality and the foundation for a legal identity. As a result, they are disfranchised from exercising all their fundamental rights in the country where they live, and their inclusion continues to be challenged. Furthermore, maintaining people with an undetermined nationality in a protracted nature can also have devastating consequences on a society. A state holding people behind precludes them from using all their productive potential for strengthening the prosperity of their country and meaningfully contributing to the peacebuilding and development of their society.

In the Great Lakes region, individuals can be stateless or at risk of statelessness due to a pattern of causes and risk-factors. This includes gaps in law such as discriminatory provisions leading to denial of nationality at birth and/or insufficient safeguards against childhood statelessness; unaddressed long-term refugee situations with several generations born in exile; creation of new states; and administrative obstacles to accessing documents like birth certificates or national ID, particularly for minority or cross border communities, long-term refugees, and returnees. Specifically in the Great Lakes region, research has demonstrated that statelessness is repeatedly the consequence of cross border displacement, particularly among long-term refugees, historical migrants, and their descendants. Similar studies have shown the importance of facilitating their access to civil registry, identity, and nationality documentation to mitigate risks of statelessness, ensure their full inclusion in the country in which they live and advance solutions.

Since the launch in November 2014 of UNHCR's global *#IBelong Campaign to End Statelessness by 2024*, ICGLR Member States, under the lead of the ICGLR Secretariat, have shown political will and commitment to eradicate statelessness. The adoption by the 12 ICGLR Member States of the [Declaration of International Conference on the Great Lakes Region \(ICGLR\) Member States on the Eradication of Statelessness](#) in 2017 was a key milestone. The Declaration contains 11 commitments to end statelessness and was accompanied by the [2017-2019 Regional Action Plan on eradication of statelessness](#).¹ In this historic text, which builds on the [2004 Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region](#), Member States committed to adopting 'a common regional approach for the ratification and implementation of the UN Conventions on Statelessness'.²

¹ The Brazzaville Declaration aims at securing everyone's fundamental right to a nationality and access to legal identity documentation for all. Ensuring no one in the Great Lakes region is exposed to the scourge of statelessness means reinforcing inclusion and enabling individuals to reach their full potential, which will contribute to peacebuilding, security, and regional development. In adopting the Brazzaville Declaration, among other objectives, Member States committed to acceding to the statelessness conventions, undertaking legal reform, strengthening civil status systems, and developing National Action Plans to end statelessness.

² See paragraph 68 of the 2004 Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region

In 2019, the ICGLR Secretariat hosted [a Ministerial Conference on Eradication of Statelessness in the Great Lakes region](#) supported by the Government of Kenya and UNHCR. The conference gathered representatives of 12 ICGLR Member States, civil society actors working on legal identity documentation, and officials from other regional intergovernmental bodies to formulate draft pledges to end statelessness. As a result of this conference, seven ICGLR Member States, ICGLR Secretariat and a few civil organizations, in addition to African Union Commission, delivered over [55 statelessness pledges in October 2019](#) at the High Level Segment on Statelessness (HLS). These pledges were subsequently incorporated in the 2019 December Global Refugee Forum (GRF).

Furthermore, in November 2020 in Brazzaville, the ICGLR Secretariat presented to its 12 ICGLR Member States [the Consolidated Action Plan of ICGLR on eradication of statelessness in the Great Lakes region](#) (2017-2024), which was endorsed by the Regional Inter-Ministerial Committee. In 2023, the ICGLR Secretariat with support of UNHCR finalized [seminal research on long-term refugee situation in the Great Lakes region: risks of statelessness and durable solutions](#). The study report which will be released soon provides key recommendations for ICGLR Member States, its Secretariat and UNHCR to mitigate risks of statelessness arising from prolonged exile through comprehensive durable solutions promoting access to civil registry, identity, and nationality documentation.

Today in 2023, with only one and a half years left to the end of the #IBelong Campaign, only a few pledges and other commitments have been implemented by ICGLR Member States and other pledging entities. More than five ICGLR Member States have adopted a national action plan to eradicate statelessness, two countries have acceded to the statelessness conventions while others have committed to ratify these statelessness instruments. One country has taken concrete steps to resolve in situ statelessness situations, while another country is conducting an identification survey of stateless persons to grant them nationality.

With just one year before the end of the #IBelong Campaign and in the lead up of [the December 2023 Global Refugee Forum](#), the ICGLR Secretariat and UNHCR wish to convene an Experts' Conference on Eradication of Statelessness and Legal Identity Documentation in the Great Lakes region to reinvigorate the momentum and redouble efforts to end statelessness by ensuring access to legal identity documentation to those at risk of statelessness and galvanize support to this.

2) Objectives and expected outcomes

The conference will achieve the following objectives and outcomes:

Objective 1: Stock taking progress on GRF pledges on statelessness and shaping the formulation of new pledges in the lead up of the 2023 GRF

- Review of progress, opportunities, and challenges in the implementation of statelessness pledges made by ICGLR Member States and other pledging entities from the region and development of progress review report.
- Validation of GRF/HLS pledges not yet fulfilled by ICGLR Member States and development of indicative roadmaps for their implementation.
- Promotion of the development of new, concrete, and impactful pledges to be announced at the 2023 GRF, with a focus on ICGLR Member States and other entities which have not yet made statelessness pledges.
- Offering opportunities to galvanize support for pledge implementation and to feed the matching process of key existing GRF pledges, when needed refined, but also indicative new pledges in the ICGLR region ahead of the 2023 GRF in line [the 2023 GRF Pledging Guidance on Statelessness](#).

Objective 2: Enhancing regional knowledge-sharing on eradicating statelessness through a peer-to-peer learning forum focusing on good practices in identifying stateless persons and people at risk of statelessness, reducing *in situ* statelessness, and preventing future cases of statelessness.

- Discussion on findings and recommendations of the ICGLR-UNHCR research on long-term refugees in the Great Lakes region: risks of statelessness and durable solutions.

- Sharing of good practices on new ways to identify and collect data on communities at risk of statelessness through community self-registers.
- Dissemination of key elements of the International Recommendations on Statelessness Statistics (IROSS) adopted in March 2023 by the UN Statistical Commission to ICGLR Member States to increase identification of stateless persons and those at risk of statelessness in the region.

Objective 3: Reinvigorating the catalytic role of the ICGLR Secretariat to assist its 12 Member States, with UNHCR’s support, in line with the ICGLR legal and policy framework to promote legal identity documentation, eradicate statelessness and advance comprehensive durable solutions for refugees, including in protracted circumstances in the Great Lakes region.

- Reaching an agreement on regional priority statelessness interventions on birth registration and access to individual documentation to be undertaken by the ICGLR Secretariat before the end of 2024 to support ICGLR States in addressing statelessness, in line with the ICGLR Declaration and Consolidated Action Plan on eradication of statelessness in the Great Lakes region (2017-2024) and pledges made by ICGLR Secretariat.
- Building a regional approach among ICGLR States to reinforce their support for the adoption of the draft Protocol to the ACHPR on specific aspects of the right to a nationality and eradication of statelessness in Africa.

3) Target audience

The conference is primarily targeting the Government Focal Points on Statelessness from the 12 ICGLR Member States designated in line with the 2017 ICGLR Brazzaville Declaration. The Government Statelessness Focal Point will be given an opportunity to present on progress, challenges, and focus areas for which more support for the implementation of the statelessness pledges. The Government Focal Points and other representative of organizations that did not deliver pledges at the 2019 HLS/GRF, will have an opportunity to announce new statelessness pledges intended to make at the 2023 GRF or expand some of their existing pledges with a statelessness component.

In view of providing more tailored and timely support to ICGLR Member States in the implementation of their statelessness pledges, a representative of each UNHCR country office from the 12 ICGLR Members States and from the respective UNHCR Regional Bureaux as well as UNHCR Headquarters are also invited to participate in this event.

Selected representatives of civil society organizations, including from East Africa Nationality Network and other regional organizations that delivered statelessness pledges at the HLS in 2019 are also invited to participate in the conference in addition to a few other multilateral, UN agency and other organizations working on the nexus of displacement, solutions, and peace building in the region. Furthermore, a representative from the African Union Commission is also expected to participate in this Conference.

4) Logistical arrangements & preparation

The conference will be held at a selected venue in Nairobi from 25 to 27 July 2023. Participation will be in-person. UNHCR will sponsor the participation of Government Statelessness Focal Points from the 12 ICGLR Member States in addition to three officials from the ICGLR Secretariat. This will include their travel arrangements from their duty station, and their accommodation and meals during the conference.

From early June to 25 July, the Statelessness Government Statelessness Focal Points from the 12 ICGLR Member States will be invited to have preparatory consultations with the UNHCR Country Representation to review their progress, milestones, opportunities, and challenges regarding implementation of their GRF/HLS pledges and other commitments made under the 2017 Brazzaville Declaration to eradicate statelessness in the Great Lakes region. This will also be an opportunity to reflect on the need for some pledges’ refinement and new pledges including adding a statelessness ‘s eradication component to new or existing pledges related to refugees, returnees and IDPs.