

## Abidjan Declaration: West Africa resolutely committed to eradicate statelessness

Following the Ministerial Conference in February 2015, Member States of ECOWAS committed themselves to identify and protect stateless persons and eradicate statelessness in West Africa by the end of 2024. The conference, co-organized by ECOWAS and the United Nations High Commissioner for Refugees, was held from 23-25 February in Abidjan (Côte d'Ivoire). 350 experts from civil society, universities and governments gathered during this event.

Through the Declaration of Abidjan, ECOWAS member states committed themselves to **accede to international conventions on statelessness, if they have not already done so, to revise their nationality code in order to remove gender-based discrimination, to ensure that children are granted a nationality at birth, and to improve their national civil registration systems.**

The recommendations of the Abidjan Declaration have been approved by the ECOWAS Heads of State at the end of the 47th Ordinary Session of the ECOWAS Sommet of Heads of State and Government, which was held in Accra on 19 May 2015.

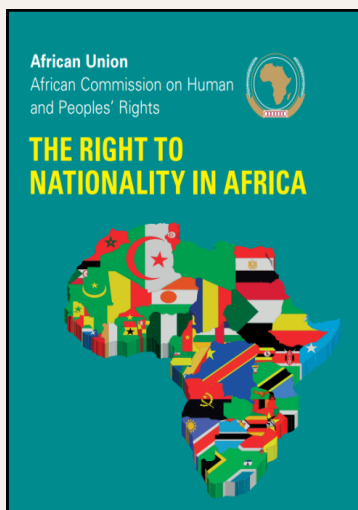
Through these commitments, West Africa is resolutely engaged in the global campaign against statelessness and shows a path to the continent's other regions.



*The documents, conclusions and recommendations of the conference are available via this link: [data.unhcr.org/ecowas2015/](http://data.unhcr.org/ecowas2015/)*

## African Union's study on the right to nationality in Africa

A study on the right to nationality in Africa was launched in Banjul on 23 April 2015, at the 56th session of the African Commission on Human and Peoples' Rights. This study underlines that the right to nationality in Africa, a "basic human right", is not included in the African Charter and Human and Peoples' rights and is therefore insufficiently protected.



The study performs a comprehensive analysis of legislative and administrative frameworks linked to nationality, and thereby identifies the many political, legal and sociological hurdles that have to be overcome to exercise the effective right to citizenship in Africa. The study highlights the risks of statelessness in Africa and concludes that there is a need to adopt an additional protocol to the African Charter on Human and People Rights related to the right to nationality.

## Towards a Protocol on nationality to strengthen the African Charter on Human and Peoples' Rights

A workshop, initiated by the Institute for Human Rights and Development in Africa (IHRDA) was held from **8-10 April 2015** and gathered together 30 experts from the region to discuss issues related to statelessness and the right to nationality in Africa. Following this workshop, experts drafted a project on the Protocol on nationality and eradication of statelessness in Africa.

Then this project was presented to the African Commission on Human and Peoples' Rights during its 18th extraordinary session from July 29th to August 7th, 2015 in Nairobi, Kenya. The Commission discussed, amended and approved the project of an Additional Protocol on nationality on 2 August 2015. The text is now entered in a phase of examination by various bodies habilitated by the African Union, before being eventually submitted for the approval of States.

## Movies on statelessness

An animated film aiming to raise the general public's awareness on the risks of statelessness in West Africa was launched by UNHCR during May 2015. The two protagonists of the movie, Fina and Bouba, face major obstacles in enjoying, among others, their rights to education, health, and freedom of movement.

Nearly one million West Africans are in the same condition as Bouba and Fina. [http://kora.unhcr.org/le-hcr-lance-un-film-danimation-sur-la-patrie/#\\_ga=1.235184578.210421167.1413810897](http://kora.unhcr.org/le-hcr-lance-un-film-danimation-sur-la-patrie/#_ga=1.235184578.210421167.1413810897)

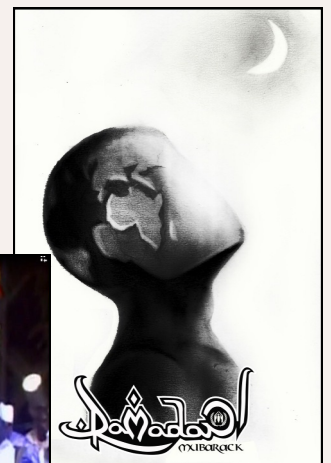


A short video on statelessness in Niger and on solutions implemented by the UNHCR was put online in June. It contains moving testimonials of people residing in Niger, unable to prove their identity and nationality, because of a lack of civil registration or any other document. <https://www.youtube.com/watch?v=apzxQ8fLoEw#t=155>

## Two religious figures raise Senegal awareness on statelessness risks

Two Muslim religious figures of Senegal sensitized people on stateless persons' condition, during the month of Ramadan. Chérif Mamina Aidara and Tafsir Abdourahmane Gaye, prominent speakers and hosts of the 2STV program "Soukerou Koor" called for a better consideration of the needs of stateless individuals by the Senegalese society and Senegalese State during a conference in Rufisque (Senegal). This conference took place on the day of Eid-ul-Fitr (Korité) in front of an audience of 5000 people that included local politicians and community figures. According to the two speakers, Islamic law grants certain rights to stateless individuals, such as freedom of movement, the right to contract a civil union and the right to work.

*Below, Cherif Mamina Aidara speaking about statelessness during a Conference in Rufisque (at least 50 000 people were believed to have attended it), the day of Korité.*





### Risks of statelessness for displaced persons in the region of Diffa (East- Niger)

Dr. Boubacar Hassane, member of the West African university network on statelessness, presented on 2 June 2015 to a panel of experts in Niamey (Niger) the results of his study on the risks of statelessness for the displaced population coming from Northern Nigeria, to Diffa region (Niger).

Nearly 2,754 households and 13,088 individuals, spread over 24 sites in the Diffa region were surveyed during the research, whose conclusions give an accurate outlook on the extent of the risks of statelessness in the region, which is sheltering many refugees from Nigeria but also many IDPs.

Thus, for a population estimated at 13,088 people, 2,367 (18%) had an identity document (birth, family booklet, national ID, passport etc...) whereas 10,721 individuals (82%) did not have any document proving their nationality.

Besides, while analyzing the eligibility of this population to the Nigerien nationality then to the Nigerian one, the report shows that 3122 people (23.85%) of the surveyed population is eligible to acquire the Nigerien nationality; 1505 people (11.49%) are eligible to the Nigerian nationality; 463 individuals (3.53%) could be citizens of both countries; but more than a half of the population, which represents 7,998 individuals (61.10%), are not eligible for any of the two nationalities and are at risk of statelessness.

Among the recommendations of the study was the need to revise national legislations with regard to nationality in order to strengthen the prevention of statelessness but also to adopt, at the ECOWAS level, principles of harmonization of the national legislations re-



*Validation workshop for the study on documentation for displaced persons in Northern Nigeria in the Diffa Region.*



*Region of Diffa.*

### Niger: Massive statelessness awareness campaign for Nigerien populations in national languages

Radio spots on the reduction of statelessness in Niger were broadcast from 27 July, 2015 over the Nigerien territory. These spots are part of the global campaign for the eradication of statelessness by 2024. Broadcasted in Hausa, Tamashek, Djerma/Sonrai, Kanuri, Gourmantché, Arabic, Toubou, Fulani, Boudouma, they call the population to mobilize in order to register births and regularize their civil status.



### **Raising awareness on statelessness in the border areas of extreme South-West Niger**

On 16 June 2015, a workshop on training and strategic discussions was held in the region of Dosso, in South-West Niger, close to the Beninese border. Organized by the *Réseau des Communicateurs pour les Droits des Enfants* (RECODE), the workshop was aimed to raise awareness and to mobilize journalists, civil society representatives, judges and representatives of the State.

The workshop was held on 16 June, which coincided with the Day of the African Child. The NGO RECODE, involved in the defense of children's rights, placed emphasis on the fact that children registered at birth are exposed to statelessness risks.

The workshop conducted/resulted in concrete recommendations to the Nigerien State, including the proliferation of civil registration centers, mobile court hearings and the establishment of a joint mixed commission to analyze and legalize cases of the population at risk of statelessness residing on either sides of the border area.

A multipartner mission also visited various localities of the border region, especially in cities of Gaya, Tamou, Ouallam, Ayorou, Makalondi, Dan Issa (Maradi), Magaria, Gouré, Agadez, Abalak in order to raise awareness on statelessness among border officials.

### **Mitigating the risk of statelessness during the transfer of sovereignty between Benin and Nigeria**

The localities of Ogamoin, Naffa, Wassaré, Mafouta, Tounga Issa, Guidan Kada, Sinangourou and Youoye, occupied by Nigeria since the 1960s, are being transferred to the sovereignty of Benin.

To facilitate this process and prevent statelessness risks, UNHCR has recommended governments to integrate the issue of nationality in their pending litigation before the International Court of Justice, to give to border populations, within a specified period; the possibility to choose the nationality of one of the two countries; to automatically grant citizenship of Benin to the population from the retroceded territories as well as the one to come, who otherwise would be stateless.

The UNHCR office in Cotonou conducted a fact-finding mission between 19-29 July in collaboration with the Beninese government in these areas. Following this tour, it was decided:

- To conduct an administrative census for purpose of civil status. The Beninese agency for integrated management of border areas (ABEGIEF) and the General Directorate of the Civil Registry, in collaboration with the Directorate of Civil and Criminal Affairs of the Ministry of Justice, agreed to submit to the Government a joint report of the mission along with a communication towards the Government.
- To commence a census operation which should lead to the issuing of Beninese civil documents to people wishing to become citizens of Benin;
- To train and raise awareness on the importance of civil registration in these border areas relying on newly elected mayors and their assistants and district heads. The purpose of this training is to establish sustainable civil registration mechanisms in these new localities under Beninese sovereignty.





**Populations at risk of statelessness living in retroceded areas in Benin**

Resident populations in areas subjected to territorial disputes by two border states are often exposed to risk of statelessness. Once the dispute is resolved, these risks remain if governments concerned do not take action. This is the case of the people living in Kourou Koualou, West of Benin, and those living on the Bird Island, in Northern Benin.

The sovereignty of the city of Kourou Koualou, was long disputed by Burkina Faso and Benin, while the Birds Island was the subject of a dispute between Niger and Benin.

Only the dispute concerning the sovereignty of the Birds Island was finally settled by the Court of Justice in 2005. The dispute over Kourou Koualou is ongoing. However the status of people living in these territories has not been part of discussions, and they are therefore often of an undetermined nationality and in a situation of statelessness.

The regularization of their status by acquiring a nationality is one of the prior objectives of UNHCR in Benin.

Following the advocacy conducted by the organization, a Beninese civil registration officer now covers the area of Kourou Koualou and facilitates the registration of births of people there, while the court of Natitingou (court having jurisdiction in Kourou) has committed itself to support the UNHCR, by diligently dealing with 1622 regularization cases of civil registration cases by the district of Dassari.

Concerning the area retroceded by Niger to Benin (Birds Island), the municipality of Karimama also conducted a census on people living here. On 18 July 2015, 180 people were identified (37 women, 28 men and 115 children). An early sustainable solution is being found for these people, as adults were considered for the establishment of the permanent computerized electoral list (FISA) of Benin.



*Inhabitants of Bird Island.*



**Identification of populations at risk of statelessness in Guinea-Bissau**

A fact-finding mission was jointly carried out by UNHCR and the National Human Rights Commission in the cities of **Gabu, Bafata and Bambadinca between 22-26 June 2015**. These localities are located in the North-West of Guinea-Bissau near the border with Guinea-Conakry. This region is both an area of origin for talibés children migrating to Senegal, but also a destination area for children, nationals of sub-region countries, victims of traffic and exploited in the cashew plantations.

Birth registration is very low in the regions of Gabu and Bafata, and most talibés from the region travel to Senegal without any proof of their nationality. This lack of civil status documentation along with this migration outside Guinea makes them particularly vulnerable to statelessness.



*Talibés children.*

**Preventing statelessness among IDPs from Bakassi peninsula**

To reduce the risk of statelessness among Bakassi returnees, territory retroceded by Nigeria to Cameroun, the NGO RHEMA CARE in collaboration with the National Planning Commission, intensifies the process of registration of these populations. Therefore, between 17-19 June 2015, **232 children among the Bakassi returnees were recorded in the Nigerian civil registry systems.**



**The National Commission for Human Rights of Nigeria engages itself in a fight against statelessness**

Nigeria’s National Commission on Human Rights (NHRC) hosted on 30 June 2015, in Abuja, a workshop on raising awareness on statelessness and on mobilization on statelessness on 30 June 2015 in Abuja. The event brought together members of the Nigerian government, national NGOs, UNHCR and other partners to discuss risks of statelessness in Nigeria and establish solutions.

At the end of the meeting, the participants identified risks of statelessness, including gaps in the Nigerian constitution regarding means of acquisition and loose of nationality, gaps in administrative practices related to the proof of nationality (low birth registration rate) as well as the management of the transfer of the Bakassi peninsula under the sovereignty of Cameroun. In addition, participants committed themselves to establish a working group in order to ensure wider strategic consultation between stakeholders and to develop a national action plan for statelessness eradication.



### Law on the acquisition of the Ivorian nationality by declaration

In 2013, the Ivorian government, among the actions initiated to solve statelessness, has adopted a law which allows the targeted populations to file an application for citizenship through the Declaration Act (2013-653 September 10, 2013). This law mainly benefits individuals born in Côte d'Ivoire before independence and those born and residing in Côte d'Ivoire before 1973. Most of those persons, to date, still do not have any nationality and therefore are part of the **700,000 stateless individuals or at risk of statelessness residing in Côte d'Ivoire**.

To date, nearly 113 100 applications for Ivorian citizenship by declaration are being processed according to the Ministry of Justice, Human Rights and Public Liberties.



*Gnénéma Mamadou Coulibaly, Minister of Justice of Côte d'Ivoire, symbolically giving an Ivorian nationality certificate to 6 petitioners*

### The state of accession to international conventions on statelessness

**To date, 8 of the 15 ECOWAS States have acceded to the 1954 Convention on the Status of Stateless Persons while 9 have acceded to the 1961 Convention on the Reduction of Statelessness.**

- The Parliament of Guinea Bissau adopted in December 2014 a law on accession to the two conventions on statelessness, which has been signed by the President of the Republic in March 2015. The instruments of accession are about to be deposited.
- The Malian council of Ministers approved on 18 April 2015 draft laws relating to the adhesion to the 2 conventions on statelessness.
- The council of Ministers in Sierra Leone approved on August 25 the accession to the statelessness conventions. The next step will be to approve a law for accession by the Parliament.

#### *Statelessness in the news*

Abidjan Declaration: [Les chefs de la CEDAIO adoptent la déclaration d'Abidjan sur l'éradication de l'apatridie](#)

Statelessness and right to education:

- [Faute D'état Civil Pour Passer Le CFEE, 52.110 Candidats Exclus](#) (Senegal) (in french)
- [Comment plusieurs enfants ont été contraints d'abandonner l'école](#) (Côte d'Ivoire) (in french)

Situation of Mauritanian refugees in Mali- Irin News: [Stateless in the Sahel](#)

Tribune of Mohamed Toure, UNHCR representative in Côte d'Ivoire, on statelessness. The Huffington Post: [Individuals Without Nationalities Are Deprived of the "Right to Have Rights" in West Africa](#)

