

GHANA

**SPEECH BY THE HON. DEPUTY MINISTER OF THE
INTERIOR, HON. JAMES AGALGA AT THE REGIONAL
CONFERENCE ON STATELESSNESS**

ABIDJAN - COTE d'IVOIRE

25TH FEBRUARY 2015

Your Excellency, the ECOWAS Chairman,

Your Excellency the President of the Republic of Cote d'IVOIRE ,

Your Excellency UNHCR High Commissioner,

Your Excellency President of the ECOWAS Commission,

Distinguish Heads of Delegations,

Distinguish Representatives of Stakeholder Organisations

Distinguish Invited Guests,

Ladies and Gentlemen.

I bring warm greetings to you from the people of Ghana who also wish you the best in your deliberations.

I wish first of all to congratulate the High Commissioner for his strong and purposeful leadership and for the bold initiative in the

hosting of this all important Regional Conference on Statelessness. As we are all aware, this conference intends to analyse the root causes of statelessness in West Africa, explore measures to improve the protection of stateless persons and identify ways to prevent and reduce statelessness in the sub region.

As a geographical entity with a population of over 317 million inhabitants the West African sub region under the tenets of ECOWAS is an open and vast land mass of 15 countries literally without borders. The ease with which goods, services and citizens move across borders brings with it a number of challenges.

Over the past few decades, political, religious and inter-ethnic conflicts have propelled mass movement of individuals from one country to the other. There is also migration for economic and social reasons.

One major consequence of these movements, especially if accompanied by protracted stay in the-receiving country, is the

issue of statelessness, For reasons earlier given and because of the challenges that statelessness poses, there is the need for collaborative effort from all stakeholders in identifying the challenges and prescribing solutions to statelessness.

It is in this spirit that Ghana welcomes the theme for this meeting ie ” **Partnership to resolve Statelessness**” and also congratulates the UNHCR for the various initiatives it has undertaken since the UN General Assembly first entrusted it with responsibilities to address statelessness in 1974.

Top on the agenda of this meeting is the promotion of the accession to the 1961 Convention on the Reduction of Statelessness and the 1954 Convention Relating to the Status of Stateless Persons.

The records show that for West Africa, about half of the states have acceded to the Convention; this incidentally does not include my country Ghana.

It is important however to report that with the support of the UNHCR representation in Ghana a number of initiatives have

over the last two years commenced to bring various stakeholders on statelessness together in sensitization workshops and other forms of advocacy to bring to public attention the challenges of statelessness.

This initiatives we are hopeful will provide the necessary impetus for Ghana to accede to both statelessness Conventions by 2016.

Alongside this initiative, the Government of Ghana recognises the need to develop an appropriate legal and policy framework for preventing statelessness and protecting stateless persons.

This legal and policy initiatives we are hopeful will streamline current birth registration arrangements and also the timely registration of refugees and asylum seekers.

In this quest, it is our expectation that UNHCR will continue to play its collaborative role and provide support to accelerate the campaign for public education and for the review of the legal policy and administrative gaps which currently govern the subject.

Having said that, it is important to inform this august meeting that Ghana has a number of significant safeguards within its laws that provide protection for individuals who run the risk of statelessness.

First of all, Ghana is a signatory to a range of international instruments which recognise the right to a nationality, birth registration and access to documentation.

Secondly our domestic law regime provides significant protection to persons of concern which within this context include the stateless. For instance a child of not more than seven years of age found in Ghana whose parents are not known shall be presumed to be a citizen of Ghana by birth; also a child of not more than sixteen years of age neither of whose parents is a citizen who is adopted by a citizen shall by virtue of the adoption be a citizen of Ghana.

A wide range of protection tools are available to guarantee the citizenship status of non-Ghanaians married to Ghanaians and the offsprings of such marriages.

For instance a woman married to a man who is a citizen of Ghana or a man married to a woman who is a citizen of Ghana may, upon making an application in the manner prescribed by Parliament, be registered as a citizen of Ghana.

This law applies also to a person who was married to a person who, but for his or her death would have continued to be a citizen of Ghana.

Where the marriage of a woman is annulled after she has been registered as a citizen of Ghana according to the law she shall, unless she renounces that citizenship, continue to be a citizen of Ghana.

Any child of a marriage of a woman registered as a citizen of Ghana shall under the law continue to be a citizen of Ghana unless he renounces that citizenship.

It is significant to observe that whilst the intendment of Ghana's nationality laws are to offer protection for all including the Stateless, there are some gaps which in practice may lead to statelessness under the law.

In order to bring domestic law in tandem with the two Statelessness Conventions under reference there will be the need to undertake some legislative reform which may necessitate amendment to our national constitution. Therein lies the partnership to resolve Statelessness.

Some of these reforms are in progress. We feel encouraged by UNHCR's support to create awareness about Statelessness, to enlist the commitment of stakeholders in reducing statelessness and to provide appropriate assistance to Stateless persons.

Acceding to the two Conventions must be seen, therefore, as our mutual objective to attain by the close of 2016, and this is our pledge.

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