



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Regional Ministerial-level Meeting on Statelessness in West Africa

Remarks by Volker Türk Assistant High Commissioner for Protection

Banjul, 9 May 2017

Mr. President,
Honourable Ministers,
Excellencies,
Ladies and Gentlemen,

It is an honour and pleasure to have the opportunity to address you today. I am also very grateful to the President of ECOWAS for co-chairing this event. This Ministerial Meeting is an important milestone in our joint endeavour to put an end to the scourge of statelessness, which affects more than 10 million people worldwide, including over one million in West Africa.

I also take this opportunity to express the gratitude of the UN High Commissioner for Refugees to the people and Government of The Gambia for their hospitality and generosity in hosting this important meeting at this point in time. This is a clear signal underlining The Gambia's renewed commitment to the protection and promotion of human rights, including both its commitment to eradicate statelessness and its recognition of the fundamental importance of this cause as a regional and continental priority.

It is befitting that we are meeting here in The Gambia which, after experiencing a crisis of governance, is now embarking on a path of socio-economic recovery. I would like to congratulate the people of The Gambia, with the strong support of ECOWAS, for having resolutely decided to pursue the promise of democracy that respects human rights.

Excellencies, Ladies and Gentlemen,

Statelessness is a serious human rights issue that impacts the everyday lives of those it affects. I have met stateless persons who are ensnared in the trap of poverty, and who told me about their lives on the margins of society, isolated and stigmatized. Such persons find themselves excluded from participation in public affairs, precluded from deciding their futures on their own terms.

Statelessness impedes access to the most fundamental rights and services and prevents people from participating fully in society. Denying someone their right to a nationality creates suffering, exclusion and marginalization. Ensuring that all persons have a nationality helps build social cohesion and integration, and enables societies to capitalize on the capacities and talents of all its members. This creates inclusive societies, fostering the prosperity of individuals as well as countries. Statelessness thus poses a challenge to social and economic development. It is for this reason that all the countries in the world decided to include provision of “legal identity for all, including birth registration,” among the Sustainable Development Goals they seek to achieve by 2030. There is now clear recognition of the importance of legal identity both in terms of human and national development.

I want to underscore that the right to a legal identity is also a matter of State security, particular at a time such as this when the ECOWAS Member States have legitimate concerns about the protection of their citizens in the face of growing threats. Persons who lack a legal identity, including a nationality, are more vulnerable to radicalization, exploitation and abuse, including recruitment by armed groups, due to their marginalization from society. Such persons are also more difficult to identify. Moreover, situations of statelessness that remain unaddressed may contribute to inter-communal tensions, or lead to forced displacement.

Excellencies, Ladies and Gentlemen,

The strong engagement of West African countries on the issue of statelessness underscores the increasing awareness of the extent and the

causes of the problem in the region. Mappings of statelessness have been initiated in many countries, for example in Mali, Côte d'Ivoire, Benin, and The Gambia. We estimate that there are more than one million stateless people in West Africa. We also know that several million more are at risk of statelessness.

Studies have identified similar causes of statelessness in the region – in particular the lack of legal safeguards in nationality laws and also administrative obstacles to accessing proof-of-nationality documentation. Up to 30 per cent of people in the ECOWAS region do not have sufficient documentation proving their identity and their claim to a nationality. This problem will grow as long as there continues to be a high number of children born in the region who do not have access to birth certificates. This risk is further aggravated when people move to another country.

Also, several nationality laws in the region do not yet provide equal rights for women to pass their nationality on to their children, and some limit nationality on the basis of race or ethnicity. The reform of nationality laws and the establishment of legal guarantees to ensure that all children have a right to a nationality at birth are essential. This will help ensure the full realization of the values and principles that define the ECOWAS community.

In a region as profoundly shaped by human mobility as this one, both historically and today, protecting populations on the move from becoming stateless is of crucial importance, and it is therefore one of the top priorities which I hope States will address. Successful initiatives are already underway. I would like to commend Benin for its recent efforts to reform its legislation, guaranteeing gender equality and every child's right to acquire a nationality at birth if otherwise left stateless. It sets an important example, which I encourage other States to follow. In Burkina Faso, the Government, in partnership with the private sector, has been testing an innovative technology called "iCivil", which is a welcome initiative that aims to ensure that every birth is immediately registered via a mobile phone application. In Niger, to respond to the dramatic scarcity of documentation in the Diffa region – which is also home to a large number of refugees and internally displaced people – the Government is planning, with UNHCR's

support, to conduct a registration exercise aimed at collecting individual data that will assist in the identification and documentation of people at risk of statelessness.

Excellencies, Ladies and Gentlemen,

The ECOWAS region should be proud to be such a pioneer in the global fight against statelessness. Two years ago, in February 2015, the ECOWAS ministers adopted the Abidjan Declaration on the eradication of statelessness – one of the first in the world. Significant progress has been made since Abidjan toward this objective: three States have adhered to the 1954 and 1961 international statelessness conventions, which brings the number of State parties in the region to a total of 12 and 11 countries, respectively. No other region on the continent has so many State parties to the two UN conventions on statelessness.

Recognizing that the elimination of statelessness is a priority, every ECOWAS Member State has nominated a dedicated government focal point. Togo and Mali have already established inter-ministerial committees on statelessness. Twelve States have development national action plans to eradicate statelessness. Seven countries are in the process of reforming their national legislation in order to prevent and reduce statelessness. I congratulate all the States on the important steps taken to date, and I encourage them to speed up their efforts to formally adopt the national action plans and ensure reform of the relevant national laws.

These accomplishments are a testament to the strong engagement of the region to eradicate statelessness. Over the past two days, the Government experts have worked tirelessly to elaborate concrete, time-tabled actions, which aim to fulfill the commitments made in Abidjan to end statelessness by 2024. Today's meeting marks a new milestone in the fight against statelessness. The ECOWAS Member States have the opportunity to adopt the first binding regional instrument of its kind. The Regional Plan of Action to eradicate statelessness in West Africa is a unique and inspiring development. ECOWAS is setting an example not only for the rest of the continent, but for the world.

The commitment and dynamism of West Africa resonates across the continent. In 2015, the ECOWAS Member States asked the African Union to develop and adopt a protocol on the right to a nationality. Following this call, the African Commission on Human and Peoples' Rights adopted a draft Protocol to the African Charter on Human and Peoples' Rights on the Right to a Nationality and the eradication of statelessness in Africa. In July 2016, the Executive Council of the African Union approved the proposal from the Commission that the draft protocol be reviewed by its accredited bodies before final submission to the Member States for approval. I hope that ECOWAS will form a block of solidarity in support of the adoption of this important instrument as soon as possible.

Excellencies, Ladies and Gentlemen,

I have to underscore the fundamental importance of partnership in addressing statelessness. In particular, the support of UNICEF and the World Bank in strengthening birth registration and access to other forms of proof of nationality is key – both to the prevention of statelessness and to the successful implementation of this regional initiative. Statelessness is a challenge from a human rights, humanitarian, and development perspective, and it requires the active engagement of all stakeholders. It is necessary that universities, schools, media, and civil society organisations are involved in efforts to address it. I note with pleasure that the engagement of all actors from government to civil society is integrated into the plan of action.

West Africa is known throughout the world for the great hospitality of its people. The region's strong commitment to ending statelessness is very much in line with the best of this tradition. For my part, I can assure you that UNHCR will do whatever we can to support you in this critical effort.

Thank you very much.