

Status of Stateless Persons & Efforts to Limit Statelessness in West Africa

Amor Boubakri
UNDP, Guinea

Statelessness & stateless persons

- **Stateless person is a person who is not considered as a national by any State under the operation of its law: Convention relating to the status of stateless persons (Article 1.1)**
- **Article 15 UDHR: “everyone has the right to a nationality”**
- **The 1954 Convention provides basic protection for stateless persons**
- **The 1961 Convention on the Reduction of aims at avoiding situations of statelessness**

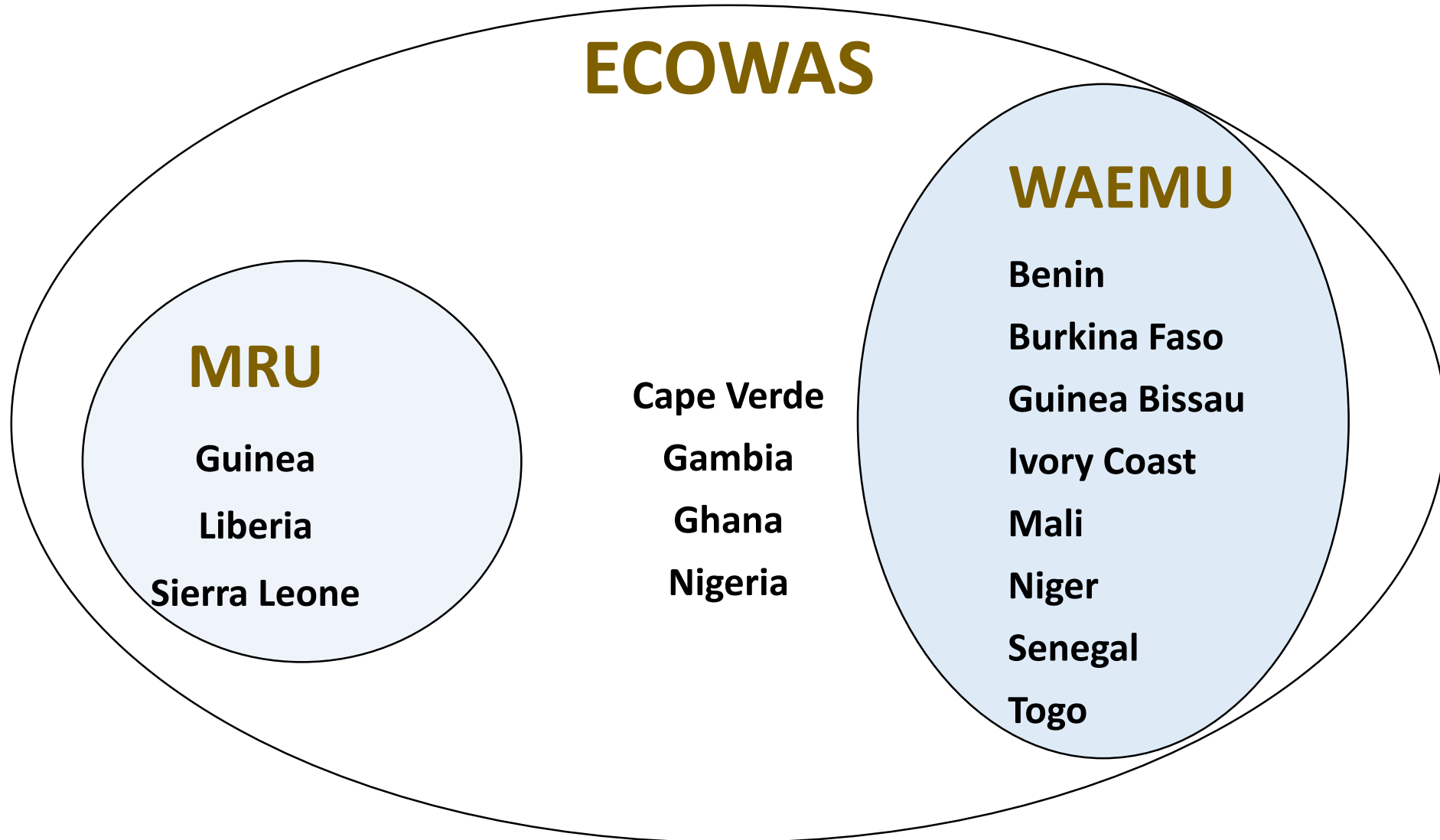
West African

Population:

- ☐ 375 Million
- ☐ 5% of WP
- ☐ 30% of AP



The Sub-regional Organisation



Stateless persons & Statelessness in West Africa

- **Stateless persons in West Africa are over 1 Million**
- **10% of the estimated world stateless population**
- **700 000 SP are in Ivory Coast (identified by UNHCR out of 3 500 000 identified)**

Origins of Statelessness in West Africa

- **Civil wars:**
 - **Ivory Coast: 2002-2007/2010-2011**
 - **Liberia:**
 - **1989-1996: first Liberian civil war**
 - **1999-2003; second Liberian civil war**
 - **Mali:**
 - **1990-1995: Azawad insurgency)**
 - **2012-now: Northern Mali conflict**
 - **Niger:**
 - **2007-2009: Azawad insurgency**
 - **2012: Touareg Rebellion**
 - **Senegal: 1980-2005 (Cazamance conflict)**
 - **Sierra Leone: 1993-2002**

Origins of Statelessness in West Africa

- **Efficiency of the civil status registers**
- **Laws on nationality:**
 - **Gender-based discrimination**
 - **Racial or ethnic criteria: in Liberia, Sierra Leone and DRC**
- **Naturalization procedures**
- **Arbitrary deprivation of nationality**
- **Territorial division under the colonial period and problems of state succession**
- **Culture obstacles**

Eradication of Statelessness in West Africa: The Legal Framework

- **The 1954 Convention on Status of Stateless Persons**
- **The 1961 Convention on the Eradication of Statelessness**
- **African Charter of Human and Peoples' Rights**
- **The African Charter on the Rights and Welfare of the Child**
- **The Draft protocol to the African Charter on Human and Peoples' Rights on the right to nationality**
- **Protols to ECWAS Treaty:**
 - **1979 Protocol on circulation**
 - **1982 Procotol on residence**

Abidjan Declaration of Ministers of ECOWAS

25 February 2015

- **The Declaration calls to prevent and reduce statelessness, mainly by reforming constitutional, legislative and institutional regimes related to nationality in order to include appropriate safeguards against statelessness, in particular to ensure that every child acquires a nationality at birth and that all foundlings are considered nationals of the State in which they are found**

The Sub-regional plan to eradicate statelessness: Banjul Plan

- **Banjul Action Plan 2017-2024 & UNHCR Global Action 2014-2024**
- **The main objective: ending statelessness by 2024**
- **Strategic objectives:**
 - **Ensuring the respect of the legal framework related to statelessness**
 - **Strengthening the data systems**
 - **Respect of fundamental rights of stateless persons, protection and integration**
 - **Sensitization of different actors**
 - **Access to birth registration and documents required for nationality**
 - **Evaluation and follow-up at the regional level**

CONCLUSION

- **West Africa is a sub-region of paradoxes:**
 - **The most integrated in Africa with the higher number of**
- **Laws are certainly important to eradicate statelessness in West Africa**
- **However, modernization of civil registration systems are essential**

Thank you