



**SADC PARLIAMENTARY FORUM
40TH PLENARY ASSEMBLY SESSION
03 TO 15 NOVEMBER 2016
HARARE, ZIMBABWE**

RESOLUTIONS AND RECOMMENDATIONS

PREAMBLE

The 40th Plenary Assembly Session of the SADC PF Plenary Assembly was held under the theme “*Statelessness in the SADC Region,*” from 3 to 15 November 2016 in Harare, Zimbabwe.

In accordance with its constitutive mandate, the 40th Plenary Assembly debated and resolved on various issues of regional importance and concern which were set out in the Reports of the Executive Committee, Standing Committees and Regional Women’s Parliamentary Caucus (RWPC) as well as Members’ Motions.

SADC PF has five Standing Committees which focus on SADC sectoral interests as follows:

- i) Democratisation, Governance and Human Rights;
- ii) Human and Social Development and Special Programmes;
- iii) Gender Equality, Women Advancement and Youth Development;
- iv) Trade, Industry, Finance and Investment; and
- v) Food, Agriculture and Natural Resources.

The resolutions shall, in terms Rule 6(3) of the SADC PF Rules of Procedure, “*be submitted to the SADC Secretariat and to relevant National Ministries through National Parliaments.*”

RESOLUTION ON THE PREVENTION OF STATELESSNESS AND THE PROTECTION OF STATELESS PERSONS IN THE SADC REGION

(SADCPF40-Res 001/16)

The SADC Parliamentary Forum,

- a) **RECALLING** the theme for this 40th SADC Plenary Assembly Session on “Statelessness in the SADC Region” and the deliberations thereof by Parliamentarians during the Deliberative Session;
- b) **FURTHER RECALLING** ongoing efforts of the African Union to move towards the adoption of Draft “Protocol to the African Charter on Human and Peoples’ Rights on the Right to Nationality and the Eradication of Statelessness in Africa”;
- c) **TAKING NOTE** of the Conclusions and Recommendations on statelessness adopted by the SADC “Technical Migration Dialogue for Southern Africa Addressing Mixed Migration in Southern Africa: Linking Protection, Immigration, Border Management and Labour Migration, Gaborone, Botswana: 16 – 18 August 2016”;
- d) **ACKNOWLEDGING** the Conclusions of the “Conference on Ensuring Everyone’s Right to Nationality: The Role of Parliaments in Preventing and Ending Statelessness, Co-organized by the Parliament of South Africa, the Inter-Parliamentary Union and the Office of the United Nations High Commissioner for Refugees, 26 to 27 November 2015”;
- e) **RECOGNISING** the requirement by the Sustainable Development Goals (SDG) endorsed by the UN General Assembly on 25 September 2015, in particular SDG target 16.9 to provide by 2030 legal identity for all, including birth registration;
- f) **FURTHER RECOGNISING** The numerous formal pledges of SADC Member States to accede to the 1954 UN Convention relating to the Status of Stateless Persons and the 1961 UN Convention on the Reduction of Statelessness, and the Recommendations from the Human Rights Council’s Universal Periodic Review to the same effect;

The SADC Parliamentary Forum:

Calls upon National Parliaments and Governments in the SADC Region to:

- i) Resolve any existing situations of statelessness within our own countries;
- ii) Review the legislative frameworks and administrative practices in nationality matters with a view to ensure their consistency with international standards on the prevention and resolution of statelessness, as well as on protection of stateless persons;

- iii) Initiate legislative reforms that addresses any identified gaps or challenges, including any discrimination on the basis of race, ethnicity, religion, or gender, thereby helping to prevent statelessness;
 - iv) Ensure gender equality as regards the equal right of men and women to pass on their nationality to their children and spouses, and to change or retain their nationality;
 - v) Expedite the implementation of Article 6 (4) of the African Charter on the Rights and Welfare of the Child, thereby preventing childhood statelessness;
 - vi) Establish and maintain comprehensive birth registration and civil registration systems within Member States with a view to prevent statelessness;
 - vii) Accede to the 1954 UN Convention relating to the Status of Stateless Persons, the 1961 UN Convention on the Reduction of Statelessness and the 1990 UN Convention on the Rights of all Migrant Workers and Members of their Families;
 - viii) Support the drafting, adoption and ratification of a Protocol to the African Charter on Human and Peoples' Rights on the Right to Nationality and the Eradication of Statelessness in Africa;" and
 - ix) Work towards the development and adoption of a SADC Ministerial Declaration and Action Plan on Statelessness.
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