



GUIDELINES FOR DRAFTING, ADOPTION AND MONITORING OF THE IMPLEMENTATION OF NATIONAL ACTION PLANS TO END STATELESSNESS

A. BACKGROUND

Article 24 of the Abidjan Declaration calls upon ECOWAS Member states to develop a National Action Plan in accordance with the UNHCR Global Action Plan to End Statelessness. Furthermore, objective 6.2 of the Banjul Plan of Action calls upon ECOWAS and each of its Member States to develop a standardized methodology for the production, adoption and implementation of National Action Plan.

To date, five ECOWAS Member States have officially adopted a National Action Plan.

B. KEY ELEMENTS OF ACTION PLANS

The action plan shall remain in effect until 2024, which shall be the deadline to eradicate statelessness. For those Member States that have not yet developed a National Action Plan, it shall be developed during a strategic workshop by a multi-disciplinary team that includes government and civil society representatives with expertise in the field of nationality, identity documents, statelessness, statistics, birth registration, human rights, legislation, and communication.

The National Action Plan shall prioritize the integration of the objectives defined in the Banjul Plan of Action, taking into account the national context of each Member State, and it should be based on the sample template annexed to Global action plan.

The Government Focal Point, with the support of UNHCR and ECOWAS (country office or regional office based in Dakar in countries where there is no national office), shall coordinate the organisation of the workshop.

A UNHCR Protection Officer and an in-country law professor trained on statelessness matters can assist in facilitating the workshop.

B1. Workshop Goals

The workshop goals shall be the following:

1. Strengthen the skills and knowledge of stakeholders;
2. Ensure a common understanding of the causes and consequences of statelessness, the situation of stateless persons and the groups at risk of statelessness;
3. Identify relevant activities based on the Global Action Plan and the Banjul Action Plan.

B2. Recommended Participants

- Representatives of key Ministries (Interior, Foreign Affairs, Justice, and any other ministry responsible for Aliens, Civil Status, Birth Registration and/or Nationality), Agencies and independent administrative institutions (national observatories, etc.);
- Members of Parliament;
- Representatives of the Judiciary;
- Representatives of the local governments or similar institutions;
- The specialised agency responsible for statistics;
- Ombudsperson and/or mediator;
- National Human Rights Institutions (NHRI);
- Civil society (dealing with children, women and/or human rights);
- University law professors;
- UNHCR and other UN agencies (in particular, UNICEF, OHCHR, UNFPA, IOM);
- ECOWAS (national units);
- Religious groups;
- Traditional leaders;
- Media.

B3. Framework

The workshop will last at least 3 days and be organised along the following lines:

Day 1:

- Identify causes of statelessness and groups at risk;
- Identify gaps in the legal and administrative framework related to nationality.

Day 2 & 3:

- Draft the Action Plan, prioritising actions and developing activities.

B4. Pre-workshop activities

If official studies or statistics on statelessness are unavailable, Member States are encouraged to organize a fact finding mission to zones where there are risks of statelessness, preferably in consultation with a representative of UNHCR, a civil society organisation or a NHRI. This will enable the workshop organisers to collect baseline information on statelessness. A mission report will be drafted to be contribute to the workshop proceedings. Suggested zones include:

1. Border areas, especially those areas subject to (current or past) disputes with a neighbouring State;
2. Areas inhabited by nomadic groups;
3. Areas heavily populated by migrants/immigrants (for example, specific neighbourhoods in urban areas or along migration routes);
4. Cities/neighbourhoods with a large presence of children in street situations;
5. Areas inhabited by returned refugees and/or internally displaced persons;

6. Areas inhabited by indigenous populations.

B5. Post-workshop:

Communication with the public at large is an essential element of a national strategy to end statelessness; in this respect, the government focal point will organize, with the support of UNHCR and ECOWAS, an information session on statelessness targeting media, in order to inform them of the Government efforts to develop a National Action Plan to end statelessness

C. Official adoption of the National Action Plan

The Government Focal Point on Statelessness will:

- Finalise the National Action Plan and format according to the usual country template. Where an inter-ministerial committee has not been established, the Government Focal Point on Statelessness shall propose the designation of a technical country team (key participants of the workshop) made up of a maximum of 10 members, in order to finalise the Plan of Action;
- Organize a validation workshop with the participation of stakeholders listed at paragraph B.2;
- Submit the National Action Plan to the relevant authority for official adoption, and follow up on its endorsement, either by the relevant Minister, or by the Council of Ministers (cabinet), or by the Head of State.

The National Action Plan may be launched in an official ceremony with all the key stakeholders.

D. Implementation, evaluation and follow up of the National Action Plan:

D1. At the national level:

- The Focal Point on Statelessness¹ shall meet quarterly to follow up on progress and difficulties related to the implementation of the National Action Plan;
- In November of each year, the national technical team, or, as the case may be, the special collegial body shall identify priority actions for the following year, and submit them for validation to stakeholders and afterwards for adoption by the responsible Ministry;
- Every Member State shall present an annual report (initial and periodic) prepared by the National Focal Point in line with the format proposed by ECOWAS;

¹ The Focal Point on Statelessness, the special collegial body, or the Focal Point with his technical country team

- The draft annual report prepared by the National Focal Point and developed in accordance with a template prepared by ECOWAS, shall be submitted to stakeholders involved in the eradication of statelessness;
- Civil society organisations shall, in accordance with point 6.3.5 of the Banjul Plan of Action, organise a meeting to elaborate their own annual report on the implementation of the Plan of Action for the eradication of statelessness;
- The annual report of the Focal Point shall be submitted to the Minister responsible for nationality and statelessness matters, the UNHCR country representative, and the ECOWAS local representative;
- The technical team or the special collegial body can propose amendments to the National Action Plan that shall be officially validated by stakeholders and adopted by the relevant Ministry;
- The annual report shall be submitted to ECOWAS in December;
- The Focal Point on statelessness shall hold a meeting to report to stakeholders the recommendations made by ECOWAS to the State on the implementation of its National Action Plan and shall ensure their effective implementation.

D2. At the regional level

- In line with point 6.3.5 of the Banjul Plan of Action, the ECOWAS Commission shall prepare a synthesis of the State annual reports that it shall submit for examination at the annual conference to follow up on the implementation of the Banjul Plan of Action;
- Civil society organisations shall present a summary of their shadow reports on the implementation of the Banjul Plan of Action in Member States at the ECOWAS annual conference, in line with point 6.3.6 of the Banjul Plan of Action;
- At the end of the annual Conference, recommendations shall be made to the ECOWAS Council of Ministers on the actions to be taken to achieve the goals of the Banjul Plan of Action.

Saly, Senegal

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