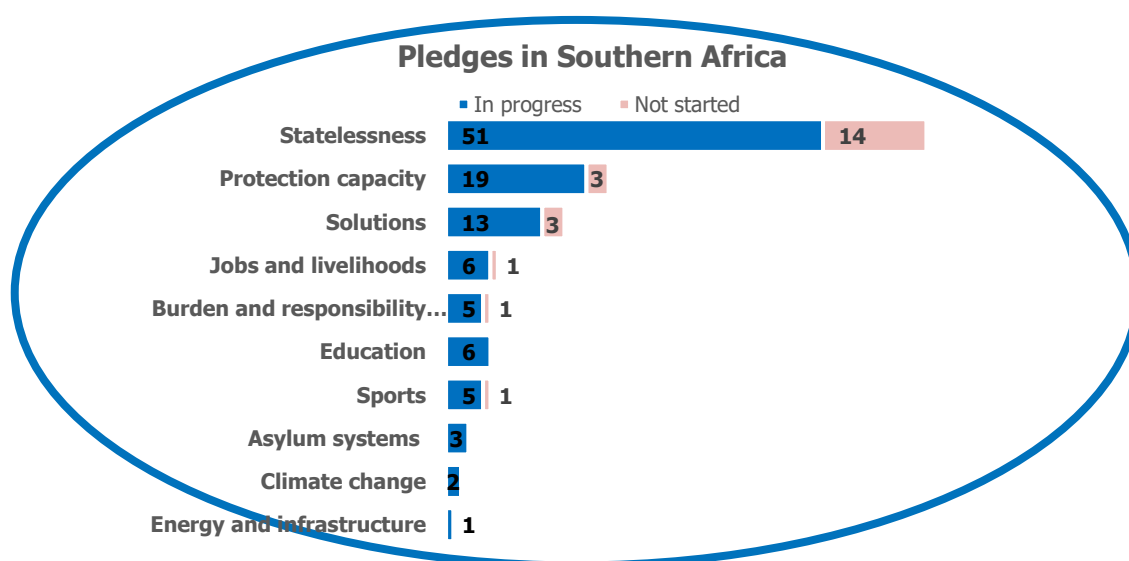


# GRF NEWSLETTER

## 80% PLEDGES IN PROGRESS

During the 2019 Global Refugee Forum (GRF), 14 States and 10 organisations in Southern Africa, made 134 pledges to address asylum and statelessness in the region. As of the first quarter of 2021, 80 percent of these pledges are being implemented.



### IN BRIEF

- The **Democratic of the Congo** is close to acceding to the statelessness conventions.
- **Madagascar, Lesotho, and Eswatini** have initiated nationality law reform.
- **Namibia, Eswatini, Angola, and Zimbabwe** are well advanced in statelessness data collection.
- **The Republic of the Congo** and **the Democratic Republic of the Congo** are strengthening birth registration systems.
- **Zambia, Malawi, Namibia** have progressed towards including refugees and displaced persons in national systems and programs such as education, health, and livelihoods.
- **eThekweni (Durban) Municipality, South Africa** is well advanced in the organization of the first Social Cohesion Summit.
- **The International Association of Refugee and Migration Judges** and the **Southern African Legal Advocacy on Asylum & Migration** are strengthening the capacity of legal practitioners to improve protection and asylum services.

## Protection Capacity



A family crosses the Ubangi river as voluntary repatriation from the Democratic Republic of the Congo to the Central African Republic resumes following COVID-19 delays. © UNHCR /C.N.M. Achu

### MALAWI

**Pledge: Reform national legislation and policies on asylum. Finalize and adopt the National Migration Policy, review of the Refugees Act, revisit the encampment policy and the reservation on access to public education.**

**Pledge Status: In progress**

In 2020, the Government established an inter-ministerial taskforce to draft the National Migration Policy. In early 2021, the taskforce completed the final draft of the National Migration Policy and has submitted it to the Ministry of Homeland Security for review.

### ZAMBIA

**Pledge: Harmonize the provisions of the Refugee Act and the Immigration legislation in order to close lacunas that exist and ensure the enjoyment of rights by refugees in accordance with international standards.**

**Pledge status: In progress**

The Government commenced the development of the Refugee Policy in 2020, with the Inter-Ministerial Committee drawing up a roadmap. Data collection has been undertaken to inform the development of the policy. A stakeholders' consultative event is planned in June 2021 to review the findings and discuss the draft policy. UNHCR is providing technical and financial support to the process which is expected

to be finalized this year. The policy is expected to improve the administration of the 2017 Refugees Act and enhance the enjoyment of rights by persons of concern.

## ZAMBIA

**Pledge: By 2021, ensure refugees have access to civil registration and legal documentation.**

**Pledge status: In progress**

The Government issued a total of 898 birth certificates (253 in Lusaka and 645 in Mayukwayukwa settlement), in 2020. A further 821 persons of concern were also issued with alien cards in 2020. In a bid to improve birth registration coverage and services, mobile registration is being undertaken in refugee settlements by the Department of National Registration, Passport and Citizenship. The Commissioner for Refugees, with support from UNHCR, also commenced the set-up of self-registration kiosks and the recruitment of staff in Lusaka and the settlements.

## ZIMBABWE

**Pledge: By 2021, establish a national data management system, construct reception centres at major entry points and strengthen the refugee status determination procedures.**

**Pledge status: In progress**

In 2020, the Ministry of Local Government and Public Works, with support from UNHCR, renovated the transit centre in the north-eastern border of Zimbabwe with Mozambique. The transit centre, which was unusable before the renovation, now has six rooms for use by asylum seekers who may arrive through the border.

To strengthen RSD processing, five government officers are undertaking training. The officers also participated in an RSD webinar conducted by UNHCR. They are currently completing the RSD e-learning course on UNHCR's Learn and Connect platform.

## JOINT PLEDGE BY LEGAL ADVOCATES AND CIVIL SOCIETY<sup>1</sup> IN SOUTH AFRICA

**Pledge: Develop an online network aimed at exchanging knowledge and good practices in the field of refugee and citizenship law in South Africa.**

**Pledge status: In progress**

In 2020, the Consortium of Legal Advocates and Civil Society adopted the official name, Southern African Legal Advocacy on Asylum & Migration (SALAAM). SALAAM aims to strengthen the legal protection of persons of concern in Southern Africa through the collective action of a network of legal organizations and individuals. SALAAM is in the process of contacting legal actors in other countries in the region for membership in the network. SALAAM's action plan includes advocacy towards

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<sup>1</sup> The group comprise of the Nelson Mandela University Refugee Rights Centre, Lawyers for Human Rights, University of Cape Town Refugee Rights Unit, Scalabrini Centre of Cape Town, David Simonsz, Advocate of the High Court of South Africa & Member of the Cape Bar, Lee Anne de la Hunt (Advocate, Cape Bar Society), Centre for Child Law, Faculty of Law, University of Pretoria, The Public Interest Practice

improved asylum systems and access to rights for refugees and migrants, capacity development, training and knowledge sharing for members as well as for government, the judiciary, civil society, and the private sector, who all play a role in the protection of persons of concern.

## INTERNATIONAL ASSOCIATION OF REFUGEE AND MIGRATION JUDGES (IARMJ)

**Pledge: Support the training of 2,000 legal practitioners and Judges on refugee law and refugee status determination by 2023 in collaboration with its partners.**

**Pledge status: In progress**

In December 2020, the International Association of Refugee and Migration Judges (IARMJ) in collaboration with UNHCR conducted training for 20 judges in South Africa on African Union (AU) and UN Refugee Conventions. IARMJ and UNHCR are in the process of establishing a Centre of Excellence in partnership with the Judicial Institute for Africa (JIFA). The Centre aims at training English speaking judges and practitioners in Africa, on asylum, refugees, statelessness and nationality.

## Solutions



Local women assisted by the Somali business community in Pretoria, South Africa. Refugees helped host communities during COVID-19 by distributing aid to local families in need. © UNHCR/ Helene Caux

## DURBAN MUNICIPALITY, SOUTH AFRICA

**Pledge: Ease the integration of refugees and asylum-seekers in the communities they live in by strengthening social cohesion, including through training community ambassadors who will promote understanding amongst cultures and address differences in multicultural neighbourhoods.**

**Pledge status: In progress**

The Municipality of eThekweni (Durban) is currently in the process of convening a social cohesion summit which will be attended by government and refugee leaders. The summit will address violence against foreigners in eThekweni, strengthen understanding between people of different cultures and promote social cohesion. It also aims at fostering an enabling environment for economic recovery, job creation and human rights for all. More than 100 participants from local government, line ministries, civil society associations, private sector, international organizations and media will discuss the root causes of violence against foreigners to arrive at possible solutions to address this problem. The event will also look into the GRF pledges made by the municipality and evaluate progress to date.

## MALAWI

**Pledge: Inclusion of refugees into the National Development Agenda by 2020 and in national systems. Provide support to ongoing and immediate needs in health, water and sanitation, education and security.**

**Pledge status: In progress**

As early as 2018-2019, the Government included refugees in its Malawi Growth and Development Strategy III (MGDS III) which highlights the importance of “upscaling support and involving refugees in national development programming and implementation”. The Government has since taken steps ensure refugee inclusion in national systems and programs.

The Government-led health facility in Dzaleka refugee camp provides free health care services to refugees and the host community. The facility has been expanded since 2020 and in 2021 to improve services and capacity.

Refugees have been included in the Government’s Covid-19 response. The Government has established a field level Covid-19 task team comprising refugee leaders and local chiefs to review and monitor Covid-19 prevention and response in the camp and neighbouring community.

A reception, quarantine and isolation facility was opened in Dzaleka refugee camp with capacity for 250 individuals. The Government has provided land for further expansion to accommodate increasing numbers of Covid cases.

Refugees were also included in the Government’s education response funded by the Global Partnership for Education. The response included the provision of learning materials and tools to students, teachers and schools to ensure continuity of learning during the pandemic.

## NAMIBIA

**Pledge: Strengthen access to quality health services and provide medicines and medical equipment as well as trained medical personnel.**

**Pledge status: In progress**

The Government runs a clinic in Osire refugee settlement providing free health services to persons of concern. It continues to allocate resources to cover salaries for health personnel, medicines, equipment, transport, fuel and repairs. As the settlement has been classified as a vulnerable location in the Covid-19 pandemic, health protocols have been put in place. An isolation centre has been established for confirmed Covid cases. As part of prevention measures, personal protective equipment (PPE) was distributed to refugees and awareness raising sessions were conducted. The Government also set up a Covid-19 Steering Committee in the settlement to coordinate and monitor the implementation of Covid-19 measures.

## Education



Graduates of the AppFactory coding school in Dzaleka refugee camp, Malawi. © UNHCR /Rhumbani Msiska

## NAMIBIA

**Pledge: Provide quality education to refugees which allows them to acquire necessary skills which will facilitate self-reliance and inclusion in the local economic system with benefits for both refugees and host community.**

**Pledge status: In progress**

The Government continues to provide free primary and secondary education to asylum seekers and refugees. It also allocates needed resources for teachers' salaries, as well as teaching and learning

materials. Currently, 82 percent (1,436) of refugee children are enrolled in national primary and secondary schools in Osire. Forty-one teachers have been employed in the schools with support from the Government.

## ZAMBIA

**Pledge: Maintain refugee inclusion in the national education system at all levels, including providing free early childhood, primary education, as well as secondary and tertiary.**

### **Pledge status: In progress**

#### Increased access to examination centres

The Government has granted the examination centre status to the schools in Mantapala settlement. This means that over 150 learners do not have to travel to schools in far flung locations anymore. This increases access to examinations and is expected to ultimately improve the transition rates from Grade 9 to Grade 10.

#### Increased access to secondary schools

The Government approved the establishment of the first ever secondary school in Mantapala. This provides better prospects for more refugee and host community learners to transition from junior secondary (Grade 9) to senior secondary school (Grade 10) lowering the cost of secondary education. In line with this approval, the Zambian Government has provided six (6) additional teachers at secondary level.

#### Increased recognition of prior learning

The Technical Education, Vocational Training and Entrepreneurship Training Authority (TEVETA), is a government entity responsible for technical and vocational skills development, working in collaboration with UNHCR and ILO included 15 Lusaka-based refugees in the pilot programme for the Recognition of Prior Learning. Recognition of Prior Learning provides certification to people who have skills in specific technical areas but who did not attend formal schooling. The current focus of this intervention is on construction, mining and manufacturing-related technical skills. UNHCR and the Commissioner for Refugees are working towards ensuring that coverage for the programme extends to refugee settlements when the resources are available.

#### Partnerships

The Commissioner for Refugees, in collaboration with UNHCR, is in the process of establishing partnerships with tertiary learning institutions to provide scholarships to refugee learners. Recently, Cavendish University, a local institution, granted scholarships to 10 refugees, with possibility for additional funding support as the partnership develops. A partnership is being established between the Ministry of Education, UNHCR and iSchool, a local private company, that provides e-learning content. Primary schools in the three settlements will receive tablets, procured through funding from Education Cannot Wait. The tablets will contain pre-loaded e-curriculum pre-approved by the Ministry of General Education, as supplemental education materials.

## Jobs and livelihoods



Horticulture production in Osire settlement, Namibia. © The Society for Family Health.

### MALAWI

**Pledge: Promote self-reliance through 1) introducing the settlement approach to enhance integrated development of the refugees and local community; 2) decongesting and upgrading Dzaleka Refugee Camp into a socio-economic hub; 3) inclusion for the refugees; 4) providing an enabling environment for refugees to register their businesses without incurring high fees.**

**Pledge status: In progress**

The Government allocated additional land in Katubzya and Dzaleka Hills, to decongest Dzaleka refugee camp. With UNHCR support, the sites have been developed and as at January 2021, 224 of 500 households have moved to the new settlement. The remaining families are awaiting completion of shelter. Once Dzaleka is decongested, plans for economic development will be initiated.

In 2020, the Government included refugees in the distribution of agricultural items such as fertilizer and seeds, 1,041 refugee and 759 host community households benefited from this assistance.

### ZAMBIA

**Pledge: Improve livelihoods and self-reliance by expanding the farmer input support program (FISP) to refugees.**

**Pledge status: In progress**

The Government demarcated an additional 1,300 farm plots for allocation to refugees. Some 700 plots had been allocated to refugees in Mantapala settlement by the end of 2020. 900 more refugee farmers



in Mantapala settlement were included in the Zambia Integrated Agriculture Management Information System (ZIAMIS), in addition to 1,425 refugee farmers already registered. Further, 1,054 refugees and host community members were supported with seeds and fertilizers (200 from the Government's Farmer Input Support Programme (FISP) and 854 from Africa Union funded intervention). Registration in ZIAMIS is the first step towards inclusion into the FISP programme. Given the limited absorption capacity of the FISP, the inclusion of refugees will take place gradually.

## NAMIBIA

**Pledge: Allocate 70 hectares for agricultural activities.**

**Pledge status: Completed**

The Government allocated 70 hectares for agriculture livelihoods in Osire settlement. 16 hectares are now being used for horticulture and aquaculture production, providing much needed food and income to refugee households. The Ministries of Agriculture and of Fisheries and Marine Resources together with UNHCR, are supporting the farming activities with the provision of seeds, fingerlings and fertilizers. Extension services including training and guidance as well as access to buyers through linkage to the markets are additional support provided to refugees. The settlement has the potential for viable agriculture production. With adequate resources, available land can be developed to create livelihoods for those in the settlement while also contributing to the local economy in the surrounding area.

## Sports



One of the teams in the sports events organized by The Society for Family Health in Osire settlement, Namibia. © The Society for Family Health

## **COUNCIL OF SOUTHERN AFRICA FOOTBALL ASSOCIATIONS (COSAFA)**

**Pledge: Increase availability and access to organised sports and sports-based initiatives for refugee and hosting communities, actively considering age, gender, disability, and other diversity needs**

**Pledge status: In progress**

In November 2020, the Council of Southern Africa Football Association (COSAFA) signed an MOU with the UNHCR Regional Bureau for Southern Africa to foster increased access by refugees and host communities to sports and related initiatives. The signing of the MOU coincided with the 16 Days of Activism for No Violence against Women and Children. COSAFA took part in the campaign promoting positive messaging against the scourge across its digital platforms. Video messaging involved selected football coaches, players, referees and officials.

## **ZAMBIA**

**Pledge: Facilitate and enable social inclusion of refugees into local communities by facilitating access to sports, arts and culture in all refugee settings.**

**Pledge status: In progress**

The Football Association of Zambia, the Judo Association and the Basketball Association have been including sports teams from Maheba and Mayukwayukwa refugee settlements in sports events and leagues. The Commissioner for Refugees and UNHCR, are in the process of establishing formal partnerships with the three associations, and other sports bodies, to enhance inclusion and participation of youth from refugee and host communities. To support sports activities, equipment and uniforms have been provided with UNHCR's support.

## Statelessness – Birth Registration



Ceremony for the delivery of birth certificates to indigenous populations in the Lekoumou Department © UNHCR/Quentin Banga

### REPUBLIC OF the CONGO

**Pledge: Ensure that any person identified without a birth certificate in the national civil registry census obtains a birth certificate by 2019.**

**Pledge status: In progress**

The Government has identified over 150,000 persons who were not registered at birth. They have already regularized and issued birth certificates to more than 20,000 people. The regularization process is ongoing.

## REPUBLIC OF THE CONGO

**Pledge: Continue outreach activities for the population to encourage the registration of each birth.**

**Pledge status: In progress**

In November 2020, the Republic of the Congo launched an awareness campaign on birth registration and the prevention of statelessness in the departments of Brazzaville, Plateaux and Likouala. 50 community members were trained and deployed to raise awareness on the importance to register

births to reduce the risks of statelessness. From 01 November to 31 December 2020, the first phase of the campaign, over 30,000 households were sensitized. On 01 April 2021, the Government, with the support of UNHCR launched the second phase of the awareness campaign. The activity took place in the departments of Brazzaville and will be rolled out further afield as soon as funds to support the exercise, become available. To date, the second phase of the awareness campaign has reached 9, 000 additional households.

## DEMOCRATIC REPUBLIC OF THE CONGO

**Pledge: Reform the civil registration mechanism as well as the CRVS system, institutionalize the collection of data on stateless persons and people at risk of statelessness, and prevent statelessness through the establishment of national mechanisms, birth registration and issuance of national identity documents by December 2019.**

**Pledge status: In progress**

The Government of the Democratic Republic of the Congo (DRC) has progressed with reforming the civil registration system and vital statistics. It received the support of CIVIPOL, a French company financed by the World Bank, in 2018-2020. In 2020, to achieve SDG 16.9: "legal identity for all, including birth registration, by 2030", the United Nations Legal Identity Agenda (UNLIA) taskforce was created to support the Government to promote the legal identity reform. The Ministry of Justice and the Ministry of Interior and Security were involved in the gap assessment of legal identity conducted by UN agencies (UNICEF, UNHCR, UNJHIRO, and UNFPA) in 2020. Based on this assessment, the UN agencies developed the UNLIA programme.

The project commenced in February 2021 with the aim of creating an enabling legal and institutional environment for implementing the agenda on legal identification and digital identity. In line with this project, the family code initially reviewed by the Ministry of the Interior and Security and the Ministry of Justice with the support of UNICEF and the World Bank in 2018 will be submitted to parliament in 2021. The new family code will introduce the following changes: the issuance of unique ID number to all new-borns; creation of national public civil service; creation of civil registry in health structures; strengthening data security; computerization of civil registry system; enhancement of the national coordination mechanism on civil registration and legal identity.

## Statelessness – Policy and Law reform



Still awaiting nationality in South Africa. Mpho and her children. © UNHCR/H. Caux

### COMOROS

**Pledge: Set up an inter-ministerial national commission (Ministry of Foreign Affairs, Ministry of Justice, Ministry of the Interior and National Assembly) by early 2020, to prevent and to fight against statelessness**

**Pledge status: Completed**

In 2020, an inter-ministerial national commission was established in the Comoros. A key aspect of its work will be to develop a national migration policy including issues of migrant statelessness.

### ESWATINI

**Pledge: Establish a procedure to determine the status of stateless migrants in line with the 1954 Convention by end of 2022.**

**Pledge status: In progress**

The Ministry of Interior (MoI) initiated the process to develop a procedure to determine the status of stateless migrants. The MOI requested sample laws from UNHCR on the protection of stateless migrants. Furthermore, UNHCR has been asked to organize the training of officials on the protection of migrants which will enable them to start the process of drafting a bill on the issue.

## ESWATINI

**Pledge: Undertake national consultations on gender equality in nationality laws and initiate the necessary reforms to uphold citizen's equal ability to confer nationality on spouses and children by end of 2024.**

**Pledge status: In progress**

In November 2020, the Ministry of Interior (MOI), with the support of UNHCR convened a consultation workshop with Members of Parliament. The aim was to discuss the current gender discriminatory provisions in the legal nationality framework, and its impact on the occurrence of statelessness. At the end of the workshop, the Members of the Parliament expressed their support to the reform process.

## ESWATINI

**Pledge: Introduce a provision in nationality law to grant nationality to all children of unknown origin found in our territory and those born in our territory who would otherwise be stateless by 2024.**

**Pledge status: In progress**

The reform of the nationality law is included in the national action plan to eradicate statelessness. As a first step, the authorities are raising public awareness on the importance of including in the nationality law the necessary legal safeguards against childhood statelessness. To that end, the MOI conducted a training session on the reform of the nationality legislation for journalists in 2020, with a view to providing all children born or found in the territory the nationality of Eswatini.

## MADAGASCAR

**Pledge: Resolve all issues related to nationality. The reforms in legislations will be aimed at solving these problems.**

**Pledge status: In progress**

In 2020, a qualitative study on statelessness was conducted in Madagascar by UNHCR's implementing partner, Focus Development Association, and the Ministry of Interior and Decentralization.

In addition, in September 2020, a country wide campaign on birth registration was carried out by the Minister of Interior, in partnership with Focus Development Association.

In 2020, the Senate developed a proposition for a nationality law reform that removes discriminations and includes legal safeguards against childhood statelessness. In 2021, the National Assembly opted for the drafting of a new nationality bill that will comprehensively address existing statelessness and prevent the occurrence of new cases. The bill will be submitted for adoption at the end of May 2021.

## NAMIBIA

**Pledge: Naturalize persons who came to Namibia in 1930 to 1977, adopt a national strategy and reform legislation.**

**Pledge status: In progress**

In February 2021, the Government of Namibia announced plans to grant nationality and issue nationality documentation to stateless persons, persons without determined nationality, and migrants who arrived in Namibia before independence.

## NAMIBIA

**Pledge: Fully implement the Action Plan on the Eradication of Statelessness in Namibia by 2023**

**Pledge status: In progress**

The draft National Action Plan to Eradicate Statelessness by 2023 was completed in 2020, well ahead of time. Though it is yet to be formally endorsed, the Government of Namibia has already started implementing activities and has established a structure to follow up on progress.

## Statelessness – Data Collection



Data collection in Namibia © LAC

## ESWATINI

**Pledge: Undertake and publish a qualitative and quantitative study by 2021**

**Pledge status: In progress**

The Kingdom of Eswatini, with the support of UNHCR completed the Qualitative Study on Statelessness and Risks of Statelessness. A validation workshop is scheduled by the end of the first half of 2021.

## LESOTHO

**Pledge: Undertake a qualitative study to better understand the situation of groups and individuals, who are stateless or at the risk of being stateless, by June 2020.**

In 2020, the Ministry of Home Affairs, finalized the of Terms of Reference for the study in consultation with UNHCR. The study is expected to be conducted in 2021.

## NAMIBIA

**Pledge: Identify stateless persons in all regions and to undertake and publish a qualitative study to better understand the situation of stateless groups and individuals living in its territory with a view to finding a solution to situation by 2020.**

**Pledge status: In progress**

In December 2020, a countrywide statelessness study was undertaken by UNHCR's implementing partner Legal Assistance Centre (LAC). The first draft of the study has been presented during a validation workshop. The study is in the process of finalization based on the feedback received. In the meantime, the authorities are considering including stateless related questions in the upcoming national population census.

## REPUBLIC OF THE CONGO

**Pledge: Undertake a quantitative and qualitative study to better understand the situation of groups and individuals living in the country who are stateless or at risk of becoming stateless, with a view to find a solution to their situation and obtain reliable data by 2021.**

**Pledge status: In progress**

The qualitative study has been initiated in April 2021 and should be completed by the end of June. The general population and housing census will be conducted from June 22 to July 21, 2021. In addition to the collection of general population data, the study has been designed to collect quantitative data on stateless persons and persons at risk of statelessness.



## ZIMBABWE

**Pledge: Undertake and publish a qualitative and quantitative study to better understand the situation of stateless groups and individuals living in its territory with a view to finding a solution to their situation by 2021.**

**Pledge status: In progress**

A desk review has been finalized. Preparation for the qualitative study is on-going. The census, planned for 2022, is being designed to also collect data on stateless persons and persons at risks of statelessness.

## Statelessness – Accession



National Consultations on the statelessness conventions in Namibia. © Ministry of Home Affairs and Immigration

## REPUBLIC OF THE CONGO

**Pledge: Finalize the procedure of accession to the UN statelessness conventions by end December 2019.**

**Pledge status: In progress**

On 05 August 2020, the Parliament of the Republic of the Congo adopted laws authorizing the accession of both the 1954 and 1961 Conventions on Statelessness. It is foreseen that the Government will deposit the instruments of accession in the second half of 2021.

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