# Africa Regional Office (AfRO)

# Citizenship Cluster Portfolio Review Meeting Report[[1]](#footnote-1)

# March 26 2014

**Staff in attendance**

Chris Stone, Akwe Amosu, Daniel Sershen, Claudia Hernandez, Daphe Panayotatos Erlin Ibreck, Chidi Odinkalu, Julia Harrington, Ibrahima Kane, Russell Pickard, Bronwen Manby, Amir Osman, Josephine Ihuthia, Eleanor Thompson, Yaye Ndiaye, Adolphine Umukobwa, Adam Hussein Adam and Mary Wandia.

OSIEA and OSIWA monitoring and evaluation staff listened in.

# A Introduction

Chris Stone began with thanks to the Citizenship Cluster for putting together terrific and useful background materials for the portfolio review (PR). He noted that it was the first PR on an advocacy topic. Given that PRs are a new process; he welcomed comments to improve it further. He reiterated that PRs are different from strategy planning. The PR offers a retrospective moment to learn, to question and identify problems and successes from work performed in the past and how they impact on current work. The process seeks answers to: what worked well? what did not work well and what the lessons were? He encouraged the AfRO Citizenship Cluster to focus on that in its presentation.

Akwe introduced the participants and thanked them for attending the PR. She noted that the Citizenship Cluster was open to learning and suggestions from the PR. Most of the Cluster’s work was done through collaboration with various units in OSF and therefore that should be a substantive part of the PR. She welcomed Ibrahima to present the work of the Cluster.

# B Citizenship in Africa- Reflection

Ibrahima thanked Akwe for giving the Cluster the first opportunity to participate in the AfRO’s PR. Below is a summary of his presentation, input from OSJI colleagues and colleagues in discussions that followed.

The objective of the Citizenship in Africa project seeks to achieve an African Union (AU) protocol to the African Charter on Human and Peoples’ Rights (ACHPR) on the right to nationality because it is yet to recognize it. The project was informed by the fact that the denial of nationality is a major cause of political crisis and conflicts in the continent.

**What worked?**

* In-depth analysis, publication and dissemination of citizenship rights and documentation of struggles for citizenship in Africa. The publications were accessible to scholars, students and the African Commission on Human and Peoples’ Rights. One outcome was a request by the African Commission for collaboration with OSF to address citizenship issues in the continent;
* The project provided knowledge of citizenship rights violations in Africa and impact including conflict and political instability. It focused its attention on the need to define citizenship as a human right and to fill in the gap in the ACHPR because citizenship was not included as a right in the 80s when it was drafted and adopted;
* Co-founded the network-Citizenship Rights in Africa Initiative (CRAI)-in collaboration with the International Refugee Rights Initiative (IRRI) and Pan African Movement (PAM). This project built movements around citizenship issues at national level in countries such as Ivory Coast and Kenya;
* Advocacy with the AU has been successful. The African Commission passed a resolution calling for a protocol on the right to nationality in 2013. The Commission has commenced a study on citizenship to inform the development of the protocol.

**What did not work?**

* Bureaucracy within African Union (AU) institutions led to long delays in adoption and implementation of decisions. Often times the institutions make rushed demands for support;
* We are far from realising a movement (s) critical to obtaining a protocol on the right to nationality. Our high level contacts at AU level are not enough to achieve it;
* The OSJI was not able to collaborate fully because it was stretched too thin. Consequently, OSJI staff did prioritize the citizenship work;
* Collaboration with the Africa Foundations, with the exception of OSIEA, did not work well;
* Weak capacity of civil society organizations on citizenship issues;
* Few donors fund work on citizenship rights;
* Working with external partners such as CRAI has been challenging. For instance, although they received a grant five years ago to develop the CRAI website, they are yet to do it due to lack of institutional commitment within IRRI.

# C Key Questions from Chris Stone and Responses

1. **What worked?**

* In terms of collaboration, how thin we stretch OSF is our decision. Is focusing on few issues the solution or were there other partnership issues with regard to OSJI/AfRO collaboration?
* How useful were the publications? How would you rank their success?
* What went wrong with the CRAI grant?
* Would we have done some things differently?

**Responses**

Citizenship is a sensitive political problem. We approached it from a legal and technical angle which is less threatening. Others are not doing that. OSF has been part of a movement that has transformed citizenship from being a right of the state to a right of the individual. OSF has built high level contacts and connections that have enabled success in advocating for a protocol on the right to nationality with the AU Secretariat and the African Commission.

Collaboration between AfRO and OSJI on advocacy at AU and national levels as well as litigation on citizenship rights was successful. The publication on struggles for citizenship in Africa was the first attempt to expose violations of the right to citizenship highlighting the need to address the issue. The project’s publications were utilized by CRAI members to make submissions on citizenship to governments in Kenya and South Africa as well as in the analysis of the Draft Constitution in Zimbabwe. The publications were useful advocacy tools for nationality laws in Sudan.

OSF’s role as an advocacy player and funder sometimes poses challenges to relations with partners. Partners feel we are doing the same work we fund them to do. Therefore, we have a responsibility to be humble on our work with national groups who have limited skills, money and networks. Further, we need to assess what has changed in our partnerships in the last four years and seek ways in which we can work with Foundations at national level to strengthen partners’ capacity.

In our efforts to revive CRAI in 2011, we lost an opportunity to have discussions as co-founders (OSF, IRRI and PAM) on our common goal/objective prior to meeting with external partners. On the CRAI grant, OSF planned to develop the website initially but it was impossible. CRAI has performed other citizenship related activities well. However, given their failure to develop a website we should have closed the grant and sought another partner. There was dissonance within OSJI, between OSJI and Foundations and between AfRO and OSJI caused by preference for different tools. AfRO preferred research and publications while OSJI was interested in litigation.

1. **In terms of the field, what are others doing?**

* Are we the only ones doing this work?
* Are we giving sufficient credit to those who are not working with us?
* Did others (outside the CRAI) achieve or contribute anything to the achievements we made?
* What does the rest of the field look like?
* Who else is working on citizenship using a different approach from OSF’s?

**Responses**

Other actors on citizenship such as UNHCR confine their mandate to statelessness. OSF advocacy for a protocol on nationality cannot be de-linked from advocacy on citizenship rights and vice versa. The African Commission and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) are working to advance citizenship rights. The United Nations Children’s’ Fund (UNICEF) is also working on citizenship by supporting birth registration.

Several cases on citizenship have been filed with the African Commission (about 5). The rulings of the Commission on those cases has also expanded and promoted the right to citizenship. The cases were supported by: Institute for Human Rights and Development in Africa (IHRDA), Amnesty International, Interights and the Legal Resources Centre, Zambia.

**3 Who is Opposing our Initiative?**

* What are they doing and what techniques are they using to block us?
* What are we learning?
* Why was citizenship not a priority during the drafting of the ACHPR in the 80s? What has changed since?
* Why is the issue of citizenship sensitive?
* Is the protocol route the way to win the battle at national/local levels and ensure that politicians do not use citizenship as a weapon of exclusion/division?
* Is the legal/technical approach enough?

Politicians are the enemies of citizenship rights because they cause divisions through ethnic politics. They use citizenship to exclude their opponents and consolidate power. Citizenship is constructed as an issue of citizen versus a foreigner and that needs to be de-constructed. ECOWAS has already done that by promoting the concept of regional citizenship in West Africa. The protocol that OSF is advocating for will also contribute to changing that mindset.

Given that citizenship is sensitive issue, OSF has packaged it in a language that is easier to understand. OSF supported the growth of civil society groups to advocate for citizenship through partnerships at regional and national levels. Working with partners enables OSF to frame the issue in a palatable manner. The Africa Commission has also played a critical role in advancing the right to citizenship and in building partnerships at the AU level.

There are two challenges that need to be addressed in order to improve citizenship in Africa. First, the human rights movement has not been realistic because it fails to acknowledge that human rights do not improve citizens’ lives; it is civil rights because they enhance participation. Second, only 2 states in the continent recognize citizenship rights. OSF has created a resource for people to aggregate political consensus and for groups to rally resources to advance and /or demand citizenship rights. This will make a difference but unintended consequences could also arise.

OSJI and UNHCR are planning to convene donors on statelessness.

# D Moving Forward: Questions to be considered by the Cluster

Below are questions for the Cluster to reflect on:

1. How can we use grant making more effectively, given the CRAI history? Can we understand the factors that led to the failure to deliver on the commitment to develop a website and make the necessary adjustments/changes?
2. If it is true that there are officials “deep” inside governments who really understand the citizenship issue and would be sympathetic to our efforts, is there something new or different that we could do to find them and build on their support?
3. What are we after and is the protocol the right method to address the problem? The sequencing (regional to the national/local level) needs to be looked at. Change does not occur in a linear way from the global to the local level. Political pressure at national/local level works. High level contacts are not enough;
4. What tools are we not using? Publications target the elite. Mass media reaches a wider audience: radio programs, investigative journalism. What is our audience strategy?
5. Funding-we need to identify other actors funding citizenship activities and engage them further to take their support to another level;
6. Can we fund directly AU institutions we are working with on Citizenship?
7. In our advocacy, do we target regional economic communities (RECs): EAC, SADC, and EAC?
8. How do we strengthen collaboration with Foundations?
9. How do we engage creatively with potential allies particularly in government?
10. Governments will hesitate to embrace citizenship rights in the context of current threats such as terrorism. How do we address such challenges?
11. Can we conduct research on the focus of on-going campaigns at grassroots level on citizenship?
12. Is our timeline for achieving a protocol realistic?
13. Can we establish an accurate picture of other funders of citizenship work?
14. Do we need to review partnerships to ensure that we work though partners?
15. Foundations with the exception of OSIEA have not included citizenship in their strategies yet they cover 25 countries in Africa. What is the implication on resources for citizenship work at national level?

1. Compiled by Mary Wandia, Program Officer, AfRO [↑](#footnote-ref-1)