



A just world for all women and girls

STATEMENT BY EQUALITY NOW

(Observer Status No. 281)

ON AGENDA ITEM 5 OF THE 87TH ORDINARY SESSION OF THE ACHPR

**INTERVENTION ON THE ACTIVITY REPORT OF THE SPECIAL RAPPORTEUR
ON REFUGEES, ASYLUM SEEKERS, INTERNALLY DISPLACED PERSONS AND
MIGRANTS IN AFRICA.**

Hon. Commissioner Selma Sassi, the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa

Call for repeal and amendment of sexist nationality laws

Equality Now commends your mandate for the excellent work done during the intersessional period, particularly efforts towards calling for signature and ratification on the Protocol to the African Charter on Human and Peoples' Rights on Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa (the AU Nationality Protocol).

Equality Now is a co-founder and Steering Committee Member of the [Global Campaign for Equal Nationality Rights \(GCENR\)](#), and we have documented gender discrimination in nationality laws in Africa and the globe through our periodic [“The State We’re In: Ending Sexism in Nationality Laws”](#) reports and the [impact of reform](#) efforts.

Though all individuals, regardless of their status, have inalienable human rights including the right to a nationality, it has also been referred to as “the right to have rights” because of stateless persons’ inability to access a wide range of human rights in practice without a nationality. At the recently concluded 70th session of the Commission on the Status of Women (CSW) at the United Nations, the GCENR launched the [Legal Atlas on Gender Discrimination in Nationality Laws](#) which is an interactive digital map showing countries with discriminatory laws in Africa and across the world. Further, according to [GCENR research](#), while most African countries uphold citizens’ equal right to pass citizenship to their children, one-third of the countries that still discriminate against women in conferring citizenship to their children or spouses are in Africa. [Consequences](#) of sex-discriminatory nationality laws include statelessness, poverty, sexual violence, and family separation among others.

In February 2026, we [convened](#) the **“Africa Regional Multistakeholder Convening on Advancing Gender Equality in Nationality Laws”** in partnership with the GCENR, the United Nations High Commissioner for Refugees (UNHCR), UN Women, and the Inter-Parliamentary Union (IPU). The convening brought together representatives of line ministries, AU and UN Agencies, CSOs, and Members of Parliament to call for urgent national and regional action. It served as a rallying event to encourage the 20 remaining countries in the African region with gender-discriminatory nationality laws to join the ranks of those that have enacted nationality law reforms to enshrine gender equality. The convening resulted in proposed road maps for national-level action to advance gender-equal nationality rights in the region.

A key highlight of the Convening was the call for signature and ratification of the AU Nationality Protocol. The convening further called for the utilization

and implementation of the [“Proposed select draft articles on nationality rights to ensure gender equality”](#) which are practical model guidelines developed by Equality Now and GCENR in 2025 to reform discriminatory nationality laws at the domestic level. The guidelines were also shared at the 2025 High Level Political Forum (HLPF) at the United Nations in New York. They provide policymakers with rights-based solutions and model legal language grounded in international law, and developed in collaboration with UN experts. **We call on your Mandate to urge Member States to repeal and/or amend sexist nationality laws to ensure that women confer their nationality and all its benefits to their children and spouses on the same basis with men. We further call upon your mandate to assist with the dissemination of the above referenced proposed select draft articles on nationality rights to ensure gender equality among African Union Member States, emphasising the following key recommendations:**

- Member States must enshrine gender equality in nationality laws, ensuring no discrimination on the basis of sex or other personal characteristics.
- National legal frameworks should explicitly uphold children’s right to nationality, and the equal right of women to acquire, change, retain or confer their nationality to their children and spouse on the same basis as men.
- Law reform processes must centre the lived experiences of affected women, children, and stateless communities.
- Member States must sign and ratify the AU Nationality Protocol with immediate effect.

I thank you.

Done in Nairobi on 9th April 2026