Citizenship Law in Africa

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Sources and acknowledgments

This report was written by Bronwen Manby, of the Africa Governance Monitoring and Advocacy Project (AfriMAP) of the Open Society Foundations, based on a comparative analysis of the citizenship laws of 53 countries in Africa.


An almost complete set of African citizenship laws has been collected. These laws are listed in the appendix at the end of the report and, where not previously available, have also been supplied to the UN Refugee Agency for inclusion on their website in the Refworld database of resources. The study also refers to national and regional jurisprudence, and to reports to and the concluding observations of the UN committees responsible for monitoring compliance with the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Racism, and the Convention on the Elimination of All Forms of Discrimination against Women.

In addition, the report relies on information collected as part of an “Africa citizenship audit” initiated by the Open Society Justice Initiative working with the Africa members of the Open Society Foundations. For this audit, national partners surveyed the law and practice in 14 African countries on equality, minority rights, nationality, refugees, and treatment of migrants. A steering committee for the project provided guidance throughout.

The country research for the “citizenship audit” was carried out by the following individuals and organisations: Amy Bauer, Basier Bandi, Alice Mogwe and Tim Curry (DITSHWANELO—The Botswana Centre for Human Rights), Botswana; Ibrahima Doumbia, Côte d’Ivoire; Marcel Wetsh’okonda Koso (Campagne pour les Droits de l’Homme au Congo), Democratic Republic of Congo; Wesal Afifi, Abduallah Khalil, Tarek Badawy, and Amal Abdel Hadi (Forced Migration and Refugee Studies Program, American University in Cairo), Egypt; Abebe Haliu, Ethiopia; Rose Ayugi, Kenya; Keiso Matashane-Marite and Libakiso Mathlo (Women and Law in Southern Africa), Lesotho; Moustapha Touré and A.S. Bouhoubeyni, Mauritania; Khadija Elmadmad, Morocco; Ilguilas Weila (Timidria), Niger; Jamesina King (Campaign for Good Governance), Sierra Leone; Karla Saller, South Africa; Sizakele Hlatshwayo
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(Coordinating Assembly of NGOs (CANGO), Swaziland; Lillian Keene (Mugerwa), Uganda; Patrick Matibini, Zambia; and Arnold Tsunga and Irene Petras (Zimbabwe Lawyers for Human Rights), Zimbabwe.

The Africa audit team reviewed the national research at meetings with its partners in Dakar in July 2004 and in Johannesburg in February 2005. The audit research led the Justice Initiative to become involved in litigating several citizenship- and discrimination-related cases before national and regional courts and to conduct further research and advocacy in Mauritania and Côte d’Ivoire. In February 2007, the Justice Initiative convened a workshop in Kampala, Uganda, attended by experts from around the continent, to discuss the findings of the research and the concept of a new regional treaty on citizenship in Africa. Advocacy for such a treaty is underway in partnership with African civil society groups.

A group of nationality experts and advocates met in London on February 20, 2009 to discuss the draft recommendations for the report. Those who attended the meeting, chaired by Russell Pickard of the Open Society Foundations, were: Adrian Berry, Chaloka Beyani, Brad Blitz, Deirdre Clancy, Jim Goldston, René de Groot, Julia Harrington, Adam Hussein, Khoti Kamanga, Ibrahima Kane, Mark Manly, Dismas Nkunda, Chidi Odinkalu, Louise Olivier, Gaye Sowe, Souleymane Sagna, Ozias Tungwarara, and Patrick Weil. Abdelsalam Hassan Abdelsalam, Jorunn Brandvoll, Laurie Fransman, Susin Park, Santhosh Persaud, and Laura van Waas also provided input on the report.

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