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UNHCR – UN High Commissioner for Refugees

Birth certificates signal brighter future for stateless children in Kenya

Government move to issue birth certificates to 600 children from Shona community hailed as an important protection measure and first step towards ending statelessness for the group.

By Rose Ogola in Nairobi, Kenya | 02 August 2019 | Español
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Emma Muguni smiles through her tears as she holds her six children’s birth certificates in her hands. From now on, she will not need to worry about their future here in Kenya.

They are among the 600 birth certificates recently issued to children from the stateless Shona community in Kenya for the first time.

“My prayer has always been that they would not have to struggle like I did,” says Emma. “They are always sent home from school to get their birth certificates. Now with this piece of paper, they can go to different places, and they can make a life for themselves.”

The Shona community arrived in Kenya from Zimbabwe as Christian missionaries in the 1960s. They carried Rhodesian passports and were registered as British subjects. After Kenya’s independence in 1963, they had a two-year window to register as Kenyans, which many missed, rendering them stateless.

“Now with this piece of paper... they can make a life for themselves.”

“This is how statelessness happens,” says Wanja Munaita, a protection officer with UNHCR, the UN Refugee Agency. “At the time, members of the community didn’t know they could or even needed to register.”

Without proof of nationality, the Shona and other stateless communities were unable to fully access basic rights like education or health insurance. They could not travel, own property, be formally employed or access financial services, among other rights enjoyed by Kenyan citizens.

The move by the government to issue birth certificates has been hailed as an important step towards ending statelessness for the community of around 3,500, half of whom are aged under 18.

"They have never really had a legal document saying who they really are."

"It's a protection tool," says Munaita. "You can tell their age, you can tell they should not be married off before they are 18, you can tell they should not be used for labour. Most of all it's a legal document and they have never really had a legal document saying who they really are. So, this has a big impact on the children."

UNHCR is working closely with the government and civil society in Kenya to resolve statelessness. In 2016, around 4,000 Makonde were recognized as the 43rd tribe of Kenya, a major breakthrough.

"The moment you have statehood, you qualify for protection, you have a government that you claim and that claims you and that has the first obligation to protect you as a human being," says George Kegoro, Executive Director of the Kenya Human Rights Commission, which has been working closely with UNHCR to advocate for stateless communities.

"You cannot have the development goals that you aim for if pockets of the population are disabled from aspiring to those goals because of the fact that they cannot access nationality."

Emma is a third generation Shona. She was born in Kenya in 1986. Her parents died when she was young and, together with her siblings, she was raised by her grandmother.

Without a birth certificate, accessing education was a struggle. Her grandmother could not afford private schools that would sometimes be more lenient. So, like most young girls in the community, Emma stayed home and got married as a teenager.

"I dropped out of school at nursery level," she says. "It felt bad and it feels really bad, even now. I wish I could at least write or send a message on my phone. I could have been a teacher."

"With birth certificates, my children... will have a bright future."

While issuing birth certificates to Shona children does not mean they are no longer stateless, Emma is optimistic that this signals a new beginning for the entire Shona community.

“I was born in Kenya and I have never been to Zimbabwe, so Kenya is my country. If I get a Kenyan identity card, it will be freedom from the bondage of existing without belonging. With birth certificates, my children will no longer be sent home from school and they will have a bright future.”

An estimated 18,500 stateless people currently live in Kenya. This includes different groups of stateless people of Pemba and Shona origin, as well as groups of individuals of Burundian, Congolese, Indian and Rwandan descent.

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Government issues birth certificates to 600 children from Shona community



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