



EVALUATION MECHANISM
**Towards Zero
Statelessness**



PROGRAMME
**Eradicating
Statelessness**



Regional Preparatory Meeting for the High-Level Meeting on Statelessness (2019) and Presentation of the Evaluation and Follow-up Mechanism "Towards Zero Statelessness"

Santiago, Republic of Chile

13 -14 June 2018

On June 13-14, under the auspices of the Republic of Chile, UNHCR conveyed a regional meeting with the objectives of: (1) preparing the High-Level Meeting on Statelessness (2019) and; (2) presenting the Evaluation and Follow-up Mechanism "*Towards Zero Statelessness*".

65 participants attended the event, including **government officials** from 22 countries of the Americas, UNHCR staff, civil society organizations and a stateless person. Among the participating countries were: **Antigua and Barbuda, Argentina, the Bahamas, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Mexico, Nicaragua, Panama, Saint Vincent and the Grenadines, Uruguay and Venezuela.**

The **specific objectives** of the meeting were to:

- (1) Present the main achievements related to the implementation of the "Eradicating Statelessness" programme (2014-2017);
- (2) Identify the achievements and commitments that States could present at the High-Level Meeting on Statelessness (2019);
- (3) Explain the content of the evaluation mechanism "*Towards Zero Statelessness*" (methodology, indicators, etc.) and invite countries to become part of it
- (4) Identify challenges, priorities and areas where greater support from UNHCR is required to eradicate statelessness in the Americas.

The meeting was held in Spanish with simultaneous translation in English, and streamed online in both languages.

I. Content.

The first day of the meeting focused on the High-level Meeting on Statelessness (2019). UNHCR started the event by presenting some of the main achievements related to the implementation of **UNHCR Global Plan of Action to end Statelessness 2014-2024** and the **Brazil Plan of Action**. States shared national developments, experiences and good practices.

Afterwards, UNHCR explained the main objectives of the 2019 HLE, as an opportunity to present before the international community the results achieved to date (2014-2017), as



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well as submit voluntary pledges that would be implemented during the remaining years of the campaign. UNCHR also called upon States to achieve new results (2018-2019). To this end, States participated in an exercise where they reviewed accepted recommendations and commitments already assumed under the Universal Periodic Review (UPR) and those made during the 2011 Ministerial Event (pending of implementation).

Throughout the meeting, some countries **emphasized** the idea of ensuring that **the Americas becomes the first region in the world that eradicates statelessness**.

On Thursday, June 14, UNHCR presented the **Evaluation and Follow-up Mechanism "Towards Zero Statelessness"**. UNHCR explained the background, content and objectives of the mechanism. The Office explained the mechanism **facilitates programming**, the design of **high impact and low-cost projects at the national level**, as well as the implementation of **national operation plans and strategies**. UNHCR explained in detail the content of the proposed impact indicators through which the Office proposes to conduct the evaluation.

States participated in an exercise in which they identified existing needs and gaps in the implementation of the actions of the "eradicating statelessness" program, and possible projects that could be carried out with the technical and financial support of UNHCR.

As part of the agenda, **Ecuador** presented the statelessness components of the new Law on Human Mobility. **Costa Rica** presented on the "Chiriticos" project and also shared its experience in facilitating the naturalization of stateless persons. The head of Chile's UNHCR office gave a brief presentation on the experience of the "Chile reconoce" project. Finally, the **Americas Network on Nationality and Statelessness (ANA Network)** shared with the States a presentation about their work.

Presentations and discussions available at:

<https://www.youtube.com/watch?v=D0BuL1mAs8s&t=3446s>

II. States' remarks

(i) Regional Preparatory Meeting for the High-level Meeting on Statelessness (2019)

- Experiences and good practices

Costa Rica highlighted its good practice of granting a provisional identity document to applicants (SDP), which guarantees them a temporary residence, a work permit and access to the State health and education services. Also, it emphasized the existing coordination between the statelessness determination procedure and other administrative procedures such as late birth registration or refugee status determination procedure.



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Cuba commented on the recent adoption of a decree-law that eliminated the requirement of "avecindamiento" for the children of Cubans who are born abroad that want to acquire the Cuban nationality. After this reform, children can be registered as nationals at consulates without any cost.

Chile manifested that progress in the statelessness agenda was a decision of the State and not just of a government. The representative highlighted that the political will behind the actions to address statelessness is fundamental to achieve progress. Chile proposed the goal that **South America becomes the first region in the world free of statelessness.**

Colombia shared a series of administrative practices that prevent and solve statelessness: (i) the State facilitate the naturalization of a stateless migrant by exempting him from doing a knowledge exam; (ii) in some exceptional cases where their nationals renounced to the nationality in order to acquire another one and they became stateless, the State eliminated the two-year term established by its domestic regulations in order to apply to the recovery of the Colombian nationality and a (iii) circular issued by the National Registry office through which the migratory categories to demonstrate the requirement of "domicile", in order for the children to foreign parents to acquire the Colombian nationality, was broadened. On December 2017, the National Registry in cooperation with the Ministry of Foreign Affairs regulated a safeguard by which children born within the Colombian territory whose parents have failed to demonstrate the requirement of "domicile" and who cannot acquire the nationality of their parents are now registered as nationals.

Argentina shared the proposed goal about South-America becoming the first region in the Americas to eradicate statelessness.

Uruguay highlighted that their draft bill contemplates the equality of treatment between stateless persons and nationals as well as granting the applicants a provisional identity document with which they can access basic rights such as education, health and work. Also, this draft bill contains the principles of no sanction for irregular entry, family unit, non-refoulement and non-expulsion.

- **Possible future commitments and results that can be presented during the High-level Meeting on Statelessness of 2019.**

Achievements (2014-2017) and Possible Results (2018-2019)
Action 3: Remove gender discrimination from nationality laws.
The Bahamas: adopt a bill that addresses gender discrimination in nationality law.
Action 4: Prevent denial, loss or deprivation of nationality on discriminatory grounds.
El Salvador: adopt a new migration law that contains some safeguards that prevent statelessness.



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Action 6: Grant Protection Status to Stateless Migrants and Facilitate their Naturalization.

Argentina: adopt a draft bill that regulates a statelessness determination procedure and facilitates naturalization of stateless persons.

Haiti: adopt a new Nationality Law

Honduras: adopt a new migration law, where the current regulation on the existing statelessness chapter is extended.

Panama: enact an executive decree that regulates a statelessness determination procedure.

Uruguay: adopt a bill that regulates a statelessness determination procedure and facilitates the naturalization of stateless persons.

Action 7: Ensure birth registration for the prevention of statelessness.

Guyana: implement awareness campaigns about birth registration and statelessness prevention, mainly in border areas.

Haiti: campaign promoted by the Presidency of the Republic on the birth registrations in hospital centers.

Honduras: implement of awareness campaigns as well as census surveys of persons who were not yet registered at birth and with special emphasis on children who are enrolled in educational systems. Late birth registration programs of children that live in the border area with El Salvador.

Panama: implement binational initiatives for confirming nationality through late birth registration in border areas.

Uruguay: achieve the universal birth registration.

Action 8: Issue nationality documentation to those with entitlement to it.

Costa Rica: implement with Nicaragua a binational project with the objective of confirming the nationality of Nicaraguan persons who reside in Costa Rican, mainly those who reside in border areas.

Haiti: executive decree issued in 2014 that allows the late birth registration until the year 2019.

Honduras: issue documents that prove nationality for the persons that live in the border area with El Salvador.

Panama: grant documents free of charge that prove nationality to persons with entitlement to it.



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Uruguay: adopt a nationality law that grants to the grandchildren of Uruguayan nationals, the Uruguayan nationality and issue documents that proves it.

Action 9: Accede to the UN Statelessness Conventions.

El Salvador: accede to the 1961 Convention.

Haiti: accede to both Statelessness Conventions (September 2018).

Action 10: Improve Quantitative and Qualitative data on Statelessness Populations.

Costa Rica: Improve the quality of data about the persons who were identified as stateless persons before the statelessness determination procedure that entered into force in 2016.

Commitments

Action 6: Grant Protection Status to Stateless Migrants and Facilitate their Naturalization.

Honduras: establish a legal procedure that facilitate the naturalization of stateless persons.

Nicaragua: adopt a formal procedure and legislation that facilitate the naturalization of stateless persons.

Panama: modify the migration law, in order to facilitate the naturalization of stateless persons

Venezuela: modify the Organic Law of Refugees, Political Asylum Seekers and Asylum Seekers in order for it to contemplate statelessness protection aspects.

Action 7: Ensure birth registration for the prevention of statelessness.

Argentina: improve the birth registration system.

The Bahamas: enable birth registration offices in hospitals and clinics as well as in remote areas of the country.

El Salvador: develop awareness campaigns about birth registration.

Panama: develop binational agreements as well as implement awareness campaigns in rural and border areas.

Action 8: Issue nationality documentation to those with entitlement to it.

The Bahamas: grant the appropriate documentation to persons who were born within the national territory and who have the right to acquire the Bahamian nationality.

Nicaragua: grant appropriate documentation to children who do not have it.

Action 9: Accede to the UN Statelessness Conventions.

Antigua and Barbuda: accede to the 1961 Convention.

The Bahamas: accede to both Statelessness Conventions.

Venezuela: accede to the 1961 Convention.

Action 10: Improve Quantitative and Qualitative data on Statelessness Populations.

Argentina: improve the quality of data of stateless populations or populations in risk of statelessness that reside in border areas.

The Bahamas: improve the quality of data of stateless or in risk of statelessness populations that reside within the national territory.

Brazil: clean the existing data contained in the Federal Police databases in order to analyze how many stateless persons can live within the national territory.

Panama: improve the quality of data of stateless or in risk of statelessness populations that



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reside within the Country.

Venezuela: improve the quality of data of stateless or in risk of statelessness populations that reside within the Country.

(ii) Regional meeting for the presentation of the Evaluation and Follow-up Mechanism “Towards Zero Statelessness”.

Some States manifested that they may require **UNCHR support to carry out the following initiatives.**

Argentina: (i) promoting the adoption of a draft bill for the protection of stateless persons; (ii) carry out the necessary actions to address the situation of possible stateless persons or persons at risk of statelessness populations in border areas.

The Bahamas: (i) training and raise awareness among the parliamentarians on the existing gaps on nationality laws; and (ii) addressing the existing gaps on birth registration.

Brazil: (i) verifying the cases of persons who were identified as stateless persons before the establishment of a statelessness determination procedure and (ii) for training government officials on the new procedure.

Chile: (i) promoting a bill to establish a statelessness determination procedure; (ii) consolidate the “Chile reconce” project; (iii) promoting the enactment of a Law that provides the interpretation of the concept of “foreigner in transit”; (iv) establish an interagency forum that brings together the competent ministries (Ministry of Foreign Affairs, the Ministry of the Interior and the Ministry of Justice) to promote these initiatives and the statelessness agenda; and to (iv) raise awareness among the population.

Colombia: (i) fostering the interagency work between the Ministry of Foreign Affairs and the National Registry office to address the situation of a group of persons at risk of statelessness who reside in Panama at the border area; (ii) mapping the situation of people whose birth were registered with the observation “not valid to prove nationality” to determine the applicability of Circular 168-17; and (iii) train officials from the National Civil Registry Office.

Costa Rica: (i) strengthening the “Chiriticos project”; (ii) improving the institutional capacity of the Ministry of Foreign Affairs to conduct the statelessness determination procedure; (iii) creating awareness campaigns on statelessness fore government officials; (iv) addressing the cases of Nicaraguan persons who lack birth registration and irregularly reside within the national territory.

El Salvador: (i) carrying out a study to identify possible existing obstacles on administrative procedures that grant nationality.

Guatemala: (i) adopting a regulation to protect stateless persons; (ii) mapping populations who may lack birth registration, mainly at border areas with Belize; (iii) developing programs to identify children at risk of statelessness through in health centres and schools; (iv) holding meetings with Ministries of Foreign Affairs of friend



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countries who can share their good practices and experiences in addressing statelessness and to (v) training public officials.

Haiti: the State manifested that would need UNHCR support for: (i) strengthening the existing birth registration programs as well as to strengthen the institutional capacity of the Civil Registry office and to (ii) train government officials who work in the Civil Registry office.

Honduras: (i) designing a protocol for granting travel documents for stateless persons;

Panama: (i) adopting an executive decree to regulate a statelessness determination procedure; (ii) carrying out prevention campaigns mainly in border and rural areas; (iii) training government officials -through the signature of a cooperation agreement between UNHCR and the Ministry of Foreign Affairs- (iv) issuing travel documents for stateless persons.

Venezuela: (i) training government officials on statelessness.

III. Photos





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