

**GUIDELINES FOR THE PROTECTION OF STATELESS PERSONS:
UPDATE**

(Presented by Dr. Carlos Mata Prates)

I. Introduction

1. Through resolution AG/RES. 2826 (XLIV-O/14) on *Prevention and reduction of statelessness and protection of stateless persons in the Americas*, the General Assembly of the Organization of American States (OAS) asked the Inter-American Juridical Committee (IAJC) to prepare *Guidelines on the Protection of Stateless Persons*.

2. The Inter-American Juridical Committee (IAJC) designated the undersigned as rapporteur for the topic and, at its 87th regular session, held at its headquarters in Rio de Janeiro between August 3 and 12, 2015, adopted through resolution CJI/RES. 218 (LXXXVII-O/15), of August 7, 2015, the report entitled *Guide on the Protection of Stateless Persons*, presented by the Rapporteur on August 6, 2015.

II. Comments by UNHCR

3. After approval of the document by the Inter-American Juridical Committee (IAJC), the regional section of the United Nations High Commissioner for Refugees (UNHCR) forwarded some comments on that IAJC document.

4. It is worth pointing out that all the inputs received from the regional section of UNHCR regarding the document have to do with particular issues of both soft law and references to judgments or advisory opinions of the Inter-American Court of Human Rights.

5. Without prejudice to the fact that all that was already included in the document and quite apart from the juridical effects of some of the decisions referred to, the IAJC agreed, after reviewing the situation with UNHCR, to mention them explicitly in the IAJC document. That agreement was implemented and the document was adopted at the 89th session of the IAJC through resolution CJI/doc.488/15 rev. 2 of October 4, 2016.

III. Participation in activities promoted by UNHCR

6. I should also like to point out that, on invitation by UNHCR, I took part in two meetings held by that body that have a direct bearing on the topic addressed in the Committee: a) "The Regional Meeting of Parliamentarians: Ending Statelessness

in the Americas through Legislative Actions," held in Quito, Ecuador, on November 9, 2016; and b) the "Second Regional Meeting on Statelessness Determination Procedures and Protection of Stateless Persons," held on November 10, 2016, in Quito, Ecuador.

7. It is worth noting the importance of both meetings, which took the same approach as the General Assembly of the Organization of American States (OAS) and the work done by the Inter-American Juridical Committee.

8. Finally, I should point out that thanks to the second meeting the final touches were put to the draft entitled "Draft Articles on Protection and Facilities for the Naturalization of Stateless Persons" (attached hereto), which is in line with the Committee's document.

I remain at your disposal for any additional information or clarification.

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