



Republic of Paraguay
SIXTH SOUTH AMERICAN CONFERENCE
ON MIGRATION

Asunción, Paraguay
4 y 5 de Mayo de 2006

ASUNCION DECLARATION

The representatives of the Argentine Republic, the Republic of Bolivia, the Federative Republic of Brazil, the Republic of Colombia, the Republic of Chile, the Republic of Ecuador, the Republic of Paraguay, the Republic of Peru, the Republic of Suriname, the Oriental Republic of Uruguay and the Bolivarian Republic of Venezuela, gathered at the VI South American Conference on Migration:

REAFFIRMING the commitment to fully respect the Universal Declaration of Human Rights; the American Declaration of the Rights and Duties of Man; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the American Convention on Human Rights; the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women (Belem do Para Convention); the Programme of Action of the International Conference on Population and Development (Cairo, 1994); as well as other international instruments on human rights ratified by our States;

EMPHASIZING the importance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the United Nations Convention against Transnational Organized Crime, as well as its two Protocols on Smuggling of Migrants and Trafficking in Persons;

UNDERSCORING the Resolutions adopted by our States at the Organization of the United Nations¹ and the Organization of American States² levels and the Advisory Opinions OC-16/99 and OC-18/03 of the Inter-American Court of Human Rights;

TAKING INTO ACCOUNT the commitments made at the IV Summit of the Americas and the XV Ibero-American Summit of Heads of State and Government;

BEARING IN MIND the Santiago Declaration on Migration Principles (16/5/2004); the Montevideo Declaration against the Trafficking in Persons in the MERCOSUR and Partner States (16/11/2004); the Asuncion Declaration on Trafficking in Persons and Smuggling of Migrants (8/6/2001); the Agreement on Residence for the Nationals of the Member States of the MERCOSUR and Partner States, Bolivia and Chile (6/12/2002); the Agreement on Smuggling of Migrants among the Member States of the MERCOSUR and Partner States,

¹ Resolutions A/60/206; 60/169; 40/144, among others.

² Resolutions AG/RES. 2130 (XXXV-O/05); AG/RES. 2141 (XXXV-O/05); AG/RES. 2027 (XXXIV-O/04); AG/RES. 1928 (XXXIII-O/03); AG/RES. 1898 (XXXII-O/02); AG/RES. 1775 (XXXI-O/01); and AG/RES. 1717 (XXX-O/00), among others.



Bolivia and Chile (6/6/2003); the Asuncion Protocol on the Commitment with the Promotion and Protection of Human Rights of the MERCOSUR (20/06/2005) and other documents regarding this issue and adopted in the domain of the MERCOSUR, as well as the Andean Charter of Human Rights and other developments recorded in several Decisions of the Andean Community of Nations on migration matters;

CONSIDERING the convergence of interests and aspirations of the Presidents of the Member Countries of the South American Community of Nations as shown by the Ayacucho, Cusco, and Brasilia Declarations;

BEARING IN MIND the South American Meeting on Migration, Integration and Development and the preceding South American Conferences on Migration (SCM); and the importance of the consensus reached at the successive Conferences;

TAKING INTO CONSIDERATION that the Millennium Declaration expresses the renewal of the commitment to adopting the necessary measures to: respect and protect the human rights of migrants, migrant workers and their families; eradicate the acts of racism and xenophobia, which are increasing daily in many societies; and promote a higher degree of harmony and tolerance in all societies;

RESTATING the commitment by States to provide and promote international protection for refugees, persons who have been granted asylum and displaced persons, as foreseen by the 1951 Geneva Convention and its 1967 Supplementary Protocol, and other international instruments on the matter;

CONSIDERING that the South American region is composed of origin, transit, and/or destination countries for migrants;

TAKING INTO CONSIDERATION, above all, the value attached by South American countries to the migratory flows they have received and which have made invaluable cultural, economic, and social contributions to the construction of our countries;

The fact that, being in addition our region an origin region for migration, the situation of our co-nationals in third countries is worrisome and therefore we request for them a treatment equivalent to that received by the nationals from these countries in our territories;

The fact that, notwithstanding the recognition of the right to emigrate inherent to every person, it is a duty of our governments and societies to generate the necessary conditions to avert the emigration of our co-nationals, who represent human capital indispensable for the future of our economic and social development;

The fact that, as a result of the above, there have been significant developments both in the regional sphere of the MERCOSUR, the Andean Community of Nations and the South American Community of Nations, as well as the adoption of unilateral measures by some States in such relevant aspects as:



- Facilitated procedures to grant the residence status;
- Migrant regularization;
- Free movement of persons;
- Combat against migrant smuggling and human trafficking;
- Migrant documentation;
- Equal treatment for nationals and foreigners;
- Respect for the cultural diversity of migrants;
- Coordination mechanisms for migration management between receiving and sending countries, within the boundaries of the region;
- Harmonization of norms on migration matters;
- Protection of migrants against several discriminatory and labour exploitation practices;
- Rejection to the criminalization of the status of migrant irregularity;
- Bilateral cooperation for the orderly management of migration flows and other kinds of multilateral cooperation on the matter;
- Recognition of civil, economic, social, and cultural rights.

It is in view of this experience that the South American countries exhort the international community to work on migration policies founded on the ethical dimension of the respect for human rights and aimed at the integral development of individuals and societies.

RECOGNIZING the will expressed by our countries on adopting an agreed-upon stance at the High-Level Dialogue on International Migration and Development which will be held in New York on 14 and 15 September 2006, at the next United Nations General Assembly; and at other forums;

D E C L A R E:

TO REAFFIRM as basic goals on migration matters the following:

1. To unconditionally respect the human rights of migrants, especially migrant women and unaccompanied minors, regardless of their immigration status, and within the legal framework of each country and in accordance with universal principles and the international and regional instruments for the protection of persons, particularly:

a) Encouraging all the countries from the region and from other regions of the world to contemplate the ratification of, signature of and/or adherence to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the United Nations Convention against Transnational Organized Crime as well as its two Supplementary Protocols on Smuggling of Migrants and Trafficking in Persons, laying a special emphasis on the protection to women and children who emigrate as relatives fleeing from the abuses against or the denial of their human rights, in the acknowledgment of the vital importance of family reunification.



- b) Urging the governments of the receiving countries to make supreme efforts to regularize the situation of migrants living in irregular conditions.
 - c) Working for the recognition of the citizen rights of migrants both from origin and destination countries to an enlarged citizenship (the right to vote when allowed by national legislation), not only in sending but in receiving countries as well.
2. To prioritize the topic of migration and development in the bilateral, regional and international policy agendas, underlining:
- a) That poverty and scarce opportunities, as well as income gaps and different living conditions among regions, constitute one of the fundamental causes of migration;
 - b) The need to incorporate migration aspects into the context of other international agendas on matters influencing the causes of population movements, such as: international trade; human development; environment; the use of technology; and international cooperation for co-development, health and labour.
 - c) To reinforce the cooperation among destination and origin countries so that it will contribute to the legality and management of migration flows.
3. To promote the coordinated and agreed-upon work among States in order to achieve migration governability by means of:
- a) Reaffirming the valuable contributions made by migrants in host countries as well as the need to foster in those countries programmes for migrant integration, while respecting cultural identities and preventing discrimination, xenophobia, and racism.
 - b) Emphatically rejecting the criminalization of the status of migrant irregularity and its possible characterization as a punishable fact by criminal law.
 - c) Aiding in the linking of emigrant nationals to their origin countries, so as to allow for the transfer of skills and income opportunities to contribute to the development of their communities, the preservation of the host country and the organization of migrant communities in host societies.
 - d) Formulating and executing special programmes facilitating the voluntary and assisted return of nationals from abroad.
 - e) Making possible and promoting cost reduction in remittance transfers, acknowledging them as private flows of funds to origin countries.
 - f) Recognizing that some of the results of the public investment efforts concerning education in developing countries are transferred to destination countries, particularly in the case of highly qualified emigration, and therefore this stream should be taken into account at the relevant international cooperation and negotiation fields, and be considered separately from official development aid.



g) Promoting measures leading to family reunification.

h) Increasing the efforts to combat, on the basis of the principle of shared responsibility and especially considering the vulnerability of victims, the smuggling of migrants; the trafficking in persons; the smuggling of minors and other related transnational crimes, in accordance with international instruments and within the framework of international cooperation, and simultaneously to characterize these activities as crimes in the respective national legislations to effectively combat them.

i) Inviting representatives from the civil society to contribute in the formulation, implementation and supervision of policies and programmes on migration matters;

j) Strengthening political dialogue and consensus in all the existing regional domains, by instituting annual meetings of the South American Conference on Migration to this end.

k) Reiterating the need to intensify the present-day coordination and cooperation among international bodies in charge of the issue of migration.

4. The participating countries have instructed the Pro Tempore Presidency, held by the Republic of Paraguay, to officially communicate this Declaration to the Presidency of the United Nations General Assembly, as the South American contribution to the High-Level Dialogue; to the Ibero-American General Secretariat, as input to the Ibero-American Encounter on Migration, to be staged in Madrid, Spain, next 18 and 19 July; and to the Special International Conference, at ministerial level, of Developing Countries with Substantial Flows of Migrants, which will be carried out in Lima, Peru, next 15 and 16 May.

5. We encourage the several international agencies to provide assistance to the countries of the Region in fulfilling the commitments they have made.

6. We thank the offer made by the Bolivarian Republic of Venezuela to host the VII South American Conference which will be held in 2007 at a place and date which will be confirmed by the Pro Tempore Presidency.

7. We emphasize and thank the valuable, continuous, and vital cooperation of the International Organization for Migration, while requesting the continuation of its functions as Technical Secretariat of the SCM and acknowledging its role as an agency of major significance regarding migration matters.

8. We underline the importance of the continuity of the South American Conference on Migration as a privileged domain for cooperation and dialogue among governments and the civil society and we highlight the significant contribution made by observers and representatives from International Agencies.



9. We draw attention to the very efficient performance of the Pro Tempore Presidency, express our gratitude to the Paraguayan Government and people for the excellent organization of the VI South American Conference, and wish to thank them for the very warm hospitality extended to participating delegations.

10. This Declaration assembles integral commitments supplementing and fortifying those which the South American Conference on Migration has already reached.

ASUNCION, 5 MAY 2006

ARGENTINA

BOLIVIA

BRAZIL

COLOMBIA

CHILE

ECUADOR

PARAGUAY

PERU

SURINAME

URUGUAY

VENEZUELA