

Brasilia Declaration: Towards the South American Citizenship



XI South American Conference on Migration Brasilia, 19th to 21st October 2011 Brasilia Declaration Towards the South American Citizenship

The representatives of the Argentine Republic, the Plurinational State of Bolivia, the Federative Republic of Brazil, the Republic of Colombia, the Republic of Chile, the Republic of Ecuador, the Cooperative Republic of Guyana, the Republic of Paraguay, the Republic of Peru, the Republic of Suriname, the Oriental Republic of Uruguay and the Bolivarian Republic of Venezuela, gathered in the XI South American Conference on Migration held on 19th 20th and 21st October 2011 in the city of Brasilia, Federative Republic of Brazil,

REITERATING:

1. The necessity of disseminating and implementing the contents of the Declaration of Migration Principles and General Guidelines of the South American Conference on Migration approved in Bolivia in 2010, in particular the aspects of the importance of diffusion, promotion and defense of the human rights of migrants, the integrity of migration processes and their relationship with regional integration, prevention and prosecution of the crimes of illegal migrant smuggling and trafficking in persons, and the urgency of coordinating migration actions and policies in the South American region, with a view to implementing progressively the free movement of persons in the region;
2. The importance and guidance of the South American Plan of Human Development of Migration, especially its scope of action, the initiatives proposed by the Technical Secretariat and commitments on implementation made by the SACM member governments for the years 2011-2014;
3. The significant contribution of migrant persons to the social, economic, cultural and educational development of receiving countries, as well as the positive effects of the migration

dynamics upon the welfare and development of countries of origin, particularly emphasizing that migrants' remittances are the result of personal economies that cannot be regarded as development assistance;

4. That policies or initiatives typifying irregular migration as a crime and thus equating undocumented persons with criminals are not acceptable;

5. The relevance and urgency of maintaining and developing a common position of South American countries in diverse fora, consultation processes, regional and inter-regional programmes, especially as regards the conceptual harmonization on regular, irregular and undocumented migration as the expression of the unity in views, commitments and proposals on an international migration agenda and policy;

6. The migration initiatives agreed in the realm of MERCOSUR and its internal institutions addressing migration, consular and juridical issues, in particular regarding the importance of the Agreement on Residence for the Nationals of MERCOSUR, Bolivia and Chile signed in 2002, to which Ecuador and Peru adhered in 2011, to facilitate the free movement of persons in the region, a paramount aim for the common aspiration to deepen the regional integration process and build the South American citizenship;

7. The relevant role played by the Decision No. 64/10 of the Common Market Council and the Action Plan adopted in Foz de Iguazú in December 2010, which stated the "implementation of a policy for the free movement of people in the region" as one of the three basic objectives that shape the MERCOSUR Citizenship Statute, jointly with the promotion of the equality of social, economic and cultural rights and freedoms of the Member States nationals and the equal conditions for the access to labor, health and education;

8. The advances of the Andean Community of Nations-ACN in the application of migration decisions on the facilitation of migrant movements, labor migration and consular assistance in the extra-regional space; and welcoming the efforts of the ACN General Secretariat to disseminate the progress and benefits of integration of Andean citizens;

9. The recommendation made within the framework of the Brasilia Declaration on the Protection of Refugees and Stateless Persons in the Americas of November 2010 on the importance of applying the Action Plan of Mexico, with a regional focus to respond to the new challenges on the identification and protection of refugees;

DECIDE:

1. To reaffirm the priority given to the respect and promotion of the human rights of migrant persons and their families, regardless of their migration status, nationality, ethnic origin, gender, age or any other consideration, and strengthen the coordination of positions toward migration issues in international fora;
2. To reiterate the condemnation of migration policies that violate the fundamental rights of migrants and limit their access to education and health, often encouraging the adoption of racist, xenophobic and discriminatory attitudes;
3. To repudiate government policies that treat undocumented or irregular migrants on equal footing with criminals. In particular, condemn the laws recently approved by several federal states in the United States of America, which typify as a crime the irregular migrant status and the transportation and employment of undocumented immigrants. In this context, it is highlighted the coordination and support that the countries in the region are providing under the form of the "Amicus Curiae" in legal proceedings underway in courts of different states of the United States of America, against the effects of state legislations discriminating and violating the human rights of migrants;
4. To develop efforts with a view to consolidating the identity and building of the South American citizenship, objectives enshrined in the UNASUR Constitutive Treaty, through inclusive public policies and the adoption of initiatives towards cooperation and harmonization of migration policies, with a comprehensive approach, ensuring a greater respect for human and labor rights;
5. To recommend UNASUR to adopt measures which facilitate in the territory of each country the issuance and direct acceptance of civil registry documents and criminal record certificates issued by the respective duly accredited consular officials.
6. To recognize the necessity of introducing in the formulation and implementation of migration policies, mechanisms that facilitate the integration of migrant persons in host societies, promoting the social inclusion of migrants in vulnerable conditions, particularly women, children, elders and disabled persons, and invite signatory countries to ratify and implement the Ibero-American Multilateral Agreement on Social Security;
7. To share experiences among member countries and encourage all initiatives facilitating the positive reinsertion of nationals residing abroad in case they return to their country of origin;
8. To highlight the importance of migration regularization agreements and instruments signed by

the Conference Member States, promote the design and implementation of policies and regulations, as well as the negotiation and sign of cooperation programs and instruments, with a view to harmonizing migration rules in the UNASUR realm, and call for an immediate adaptation of the domestic regulations soon after the signature and/or adhesion to such agreements, in observance of regional coherence;

9. To articulate efforts to systematize information and statistical data from official migration sources and encourage the establishment of observatories or the development of migration studies in the Conference Member States. In this context, to instruct the Pro Tempore Chair and the Technical Secretariat to adopt concrete actions towards the implementation of the South American Observatory on Migrations (OSUMI in Spanish), with the purpose of making available a description of current migration trends in South America, which also includes information on legislation, regulations and bilateral and multilateral agreements in the region;

10. To present to the Technical Secretariat, as soon as possible, funded proposals and cooperation offers with the purpose of starting the implementation stage of actions on training in human rights of migrants, information systems and strengthening of inter-institutional coordination foreseen in the South American Plan for Human Development of Migration (PSDHM in Spanish);

11. To foster the participation of the civil society, including movements and other social actors, in the work of the South American Conference on Migration, through information and communication technologies;

12. To reiterate the interest in the South American Conference on Migration joining the UNASUR structure as “institutional forum” to adequately address cooperation on migration issues in the South American countries;

13. To emphasize the utility of institutional contacts between the South American Conference on Migration and the Regional Conference on Migration, initiated with the meeting on extra-continental migration of the troikas of both processes held in Quito last 30th August, which shall be followed up on a regular basis.

14. Within the scope of the EU-LAC Dialogue on Migration, to develop a common South American agenda for the relationship with the EU responding to the important challenges posed by migration processes between both regions, especially those related to the issues of family reunification, non-admission, regular residence, access to education, social security and citizenship of LAC migrants;

15. Within the above framework, to support the implementation of the EU-LAC Statistical Compendium on Migration, as an expression of the joint work of both regions to improve the knowledge and development of statistical data and information;

16. Within the scope of the Special Committee on Migration Issues (SCMA) of the Organization of American States, to promote a South American common stance toward the treatment of and discrimination against migrant persons; make progress in the analysis and discussions on extra-continental migration, prevention of trafficking in persons and migrant smuggling and coordinate the initiatives of the present Conference with the development of the Continuous Reporting System on International Migration in the Americas (SICREMI, Spanish acronym) as a system for the elaboration of migration information in the American region;

17. Welcome the offer of the Government of Chile to host the XII South American Conference on Migration scheduled for the last quarter of 2012;

18. To congratulate the International Organization for Migration (IOM), whose Director General, Ambassador William Lacy Swing, attended the XI Conference work, on the 60th anniversary of its creation;

19. To thank the Government of the Federative Republic of Brazil for the organization and conduction of the XI SACM, and the Technical Secretariat for the support and preparation of the meeting.

Signed in Brasilia, Brazil, on 21st October 2011

For the Argentine Republic For the Plurinational State of Bolivia

For the Federative Republic of Brazil For the Republic of Colombia

For the Republic of Chile For the Republic of Ecuador

For the Cooperative Republic of Guyana For the Republic of Paraguay

For la Republic of Peru For la Republic of Surinam

For the Oriental Republic of Uruguay For the Bolivarian Republic of Venezuela