



DECLARATION OF MIGRATION PRINCIPLES AND OVERALL GUIDELINES OF THE SOUTH-AMERICAN CONFERENCE ON MIGRATION

We, 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 Ninth South American Conference on Migration, held on the 21st and 22nd September 2009, in the city of Quito, Republic of Ecuador, and the Tenth South American Conference on Migration, carried out on the 25th and 26th October 2010 in Cochabamba, Plurinational State of Bolivia.

1. Convinced of the immense importance of migration flows within, from and to countries, as well as between those that participate in the South American Conference on Migration.
2. Reaffirming that the migrant person is a subject as defined by Law, playing a leading role in migration policies and consequently, a social and political actor with a transforming capacity and with responsibilities for the integrity of the migration space where he or she acts. Both in their insertion and integration and in the linking process, the migrant persons become fundamental actors in the human, economic, cultural, social and political development.
3. Recognizing the importance of advancing gradually yet decisively through dialogue and multilateral cooperation towards a regional integration based on the construction of the free mobility of persons and South American citizenship.
4. Underlining the need to recognize the significant contribution of migrants to the social, economic, cultural and educational development of receiving countries, as well as the positive effects migration dynamics have on the well-being and development of the countries of origin.
5. Reaffirming the role of receiving communities as leading actors in the insertion and integration process of migrants, which should be considered in the design of migration policies and programmes, in order to foster reciprocal reception and integration between migrants and members of the receiving communities.
6. Committed to the respect, strengthening and promotion of principles consecrated in international treaties on human rights, especially: The Universal Declaration of Human Rights; the American Convention on Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention relating to the Status of Refugees; the Protocol relating to the Status of Refugees; the International Convention on the Protection of the Rights of all Migrant Workers and their Families; the Convention on the Elimination of all Forms of Discrimination against Women and the General Recommendation No. 26 on Women Migrant Workers. the International Convention against the Transnational Organized Crime and its protocols, the MERCOSUR Protocols of Promotion and Protection of Human Rights, and the Andean Charter for the Promotion and Protection of Human Rights.

7. Encouraging the reaffirmation of the commitments to provide international protection to refugees enshrined in the 1951 Geneva Convention and its Complementary Protocol of 1967, the 1984 Cartagena Declaration on Refugees, and the Plan of Action of Mexico of 2004 to strengthen the international refugee protection in Latin America, and other international instruments on the issue, which we will adhere to in future.

8. Recognizing the need to join efforts directed at the construction of a regional, comprehensive and structured migration policy, as well as to reinforce in every SACM country, all public policies and regulating frameworks in order to offer all persons sufficient human development conditions for free, informed and secure mobility.

9. Acknowledging responsibility within the framework of historic reciprocity, for the implementation of public policies directed in such a way that the decision to migrate, not migrate and return be really voluntary, informed and free, fostering the political, cultural and economic involvement of the societies of origin and destination, guaranteeing the democratic exercise and the social inclusion of our citizens.

10. Convinced in short, that the SACM constitutes the space of dialogue, exchange and collective construction that South American countries have generated on the migration process in the region,

WE HEREBY DECLARE:

1. We recognize the right of persons to migrate, not migrate and return in a free, informed and secure manner, without criminalizing displacements, and consider migrants as the centre of migration policies, regulations and programmes. No human being will be considered illegal because of his or her involvement in an irregular migration situation;
2. We sustain the vision that migration is an integral fact and therefore underscore the need for a multidisciplinary and multilateral treatment of the issue, under the principles of historic responsibility and reciprocity and political coherence, incorporating the analysis of the causes of migrations forced by the asymmetries and the inequity in international relations into the regional, inter-regional and bilateral dialogue;
3. We reaffirm our commitment to unrestricted and permanent respect of the human rights of migrants and their families, whatever their origin, nationality, gender, ethnic origin, age, migration administrative situation or cause of discrimination, as established in the international treaties on the subject, in order to secure the free mobility of South American citizens;
4. We will implement policies and programmes to promote the capacities of our nationals abroad, with a view to strengthening their contribution to the economic, social and cultural development of their countries or origin;
5. We highlight the relevance of the agreements on migration regularization endorsed by the Conference member States and encourage the negotiation and signature of new agreements, regulations, cooperation programmes and other actions facilitating such regularization;

6. We recognize the rights of the different migrant groups coexisting within States and the contribution of their associations to migrants' insertion process and to the intercultural development of receiving countries;
7. We promote political and electoral participation of migrant persons and guarantee their rights in social, economic and cultural areas in the society, both in the countries of origin and destination, in accordance with each country national legislation and under equal conditions as their nationals;
8. We reaffirm our commitment to prevention, prosecution and sanction of migrant smuggling and trafficking of persons, especially trafficking of women, girls, boys and adolescents and restore victims their rights;
9. We highlight the importance of maintaining regional coherence in the definition and application of migration policies that are inclusive and that fully respect the human rights of migrants residing in the region, thus guaranteeing that immigrant persons in our countries enjoy the same rights we demand for our emigrant citizens;
10. We reject all practices of racism, xenophobia and discrimination; the criminalization of migrant persons; the abuse of authority and especially arbitrary detentions and deportations applied in some extra-regional countries, as well as unilateral administrative laws and measures that sanction and discriminate migrants. We reaffirm our commitment to coexistence, social inclusion, citizens' participation and insertion of migrant persons;
11. We recognize that mobility with rights for all migrant persons constitutes a substantial part of the economic, cultural and social integration processes between countries, which requires the materialization of regional multilateral agreements regarding their respect and promotion;
12. We reaffirm our commitment to articulate joint actions and common stances towards the protection of emigrant and immigrant persons;
13. We highlight the importance of coordination and cooperation between different organizations dealing with migration at the regional level, with focus on programmes addressing the exchange of information and dissemination of positive experiences on migration issues
14. We promote the articulation of migration issues in accordance to commitments made by all countries under the Millennium Development Goals;
15. We reaffirm the commitment of the South American Conference on Migration to providing and promoting international refugee protection.