



## IX SOUTH AMERICAN CONFERENCE ON MIGRATION

QUITO, ECUADOR, 21 AND 22 SEPTEMBER 2009

### DECLARATION OF QUITO

**R**epresentatives of Argentina, the State 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 Oriental Republic of Uruguay and the Bolivarian Republic of Venezuela, gathered at the Ninth Conference on Migration, held on 21 and September 22, 2009, in the city of Quito, Republic of Ecuador, and committed with the regional integration,

WE CONSIDER that celebrating two hundred years into the process conducted by our forefathers, through which the peoples of Latin America achieved political independence, is essential to reaffirm the decision of their Governments to continue the search for a development that enables citizens of the South American peoples to achieve full economic independence and develop, therefore, migration or staying in their country of origin as a real alternative, free, voluntary and dignified.

EMPHASIZING their belief that man should become the focus of migration policies and programs, from a human development approach, and recognizing the right to free mobility of the migrant.

CONSIDERING that migration has multifaceted dimensions and areas that demand a multidisciplinary and state treatment because of the actors involved, people and governments, which involves creating new tools, methodologies and management areas.

REITERATING its commitment to the principles enshrined in international human rights treaties, 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 on 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 International Convention against Transnational Organized Crime and its protocols,



Protocols for the Promotion and Protection of Human Rights of Mercosur, the Andean Charter for the Promotion and Protection of Human Rights, the Declaration and Programme of Action, Convention on the Rights of the Child, the Vienna Convention on Consular Relations and the Convention on the Elimination of All Forms of Discrimination against Women.

BEARING in mind the guidelines and commitments made in previous statements of the South American Conference on Migration.

CONSIDERING the ongoing contribution of migrants and their families to developing countries and communities of origin and destination, which is favored by regular internal.

REAFFIRMING the importance of free movement of people as an inherent fact of the human, which is a key factor in the development of mankind and that, particularly in South America has been and is an element that determines the historical processes of the States and current realities.

BEARING in mind the processes of integration of the countries of the region and the progress on free movement and residence of people.

CONSIDERING the Union of South American Nations has as one of its main objectives «the consolidation of a South American identity through the progressive recognition of the rights of nationals of a Member State resident in any of the other Member States, in order to achieve a South American citizenship»

CONSIDERING that in order to build a South American citizenship, it is required to deepen in a South-South cooperation strategy, as established in the Presidential Declaration of the Third Meeting of Heads of State of UNASUR in August 2009, that promotes implementation of actions and technical cooperation projects, seeking greater economic integration, social, cultural and political relationship between member states on behalf of migrants and their families.

REAFFIRMING the importance of promoting and protecting human rights of migrants and their families, without discrimination of any kind, especially those that might arise from their origin, nationality, immigration administrative status or those that, in general, aimed at or effect of nullifying or impairing the recognition, enjoyment or exercise of such rights and freedoms of everyone on an equal footing.

AWARE of the growing importance that the issue of immigration has on the international agenda, especially for the countries of the region and concerned about the tightening of immigration policies by certain countries of transit and destination worsened in the current economic global crisis.

HIGHLIGHTING the impact of global economic crisis in rising unemployment and the precariousness of the social situation of migrant workers and their families.

NOTING the decision of our countries to build and consolidate a common position on migration issues in international fora



## DECLARE:

1. The importance of working through a multilateral dialogue towards the establishment of a regional forum that implies a free movement of people in an informed way, safe and with rights, as one of the pillars of regional integration that allows full boost of the South American citizenship.
2. Our willingness to move forward in fulfilling international obligations concerning fundamental rights of migrants, ensuring and promoting them on a regional level.
3. We intend to actively contribute to the promotion of the capabilities of our immigrants as political, economic, cultural and scientific fundamental actors, in the promotion of human development processes in societies of origin and destination.
4. Our willingness to ensure respect for diversity and promote intercultural processes within our countries and promote, through multilateral dialogue, the establishment of policies and programs of integration of our migrants in destination countries.
5. Our desire to provide migrants, to within our region, to enjoy the same rights we seek for our citizens in the countries of transit and destination to the outside of the region for the sake of the principle of consistency, equality and non discrimination.
6. Encourage recipient countries of migration to adapt their policies, standards and practices in accordance with international standards of international law in particular Human Rights and to promote processes of regularization of migrants and the full integration of these.
7. To urge Member States to consider the adequacy of their domestic law to the principles and guidelines of the CSM and the regional policy objectives pursued.
8. Our decision to hold a common regional position on migration in accordance with the Declaration of Migration Principles and General Guidelines of the CSM.
9. To request the countries of destination outside the region to formulate and implement ongoing regularization program for people without legal status and/or undocumented.
10. That the tightening of immigration policies in countries of destination and transit of current international migration, not only violate the fundamental rights of migrants but also stimulate forms of irregular migration, trafficking in persons and smuggling of migrants.
11. Expressing concern about the direction the common European policy it is taking on migration, matters as well as the Community rules derived from the same «Return Directive and related and other measures such as airport transit,» characterized by the criminalization of migrant people who by their very condition of



- mobility are particularly vulnerable.
12. Express their disagreement with the approval of the Italian Security Act which makes illegal immigration a crime, and establishes penalties and links illegal immigration to public safety and, consequently, the immigrants are seen as a threat, the subject of persecution and punishment.
  13. Underline our concern about the imposition by the Government of France to double visa for some countries in the region by the requirement of an airport transit visa in addition to the Schengen visa, which is a blatant discriminatory measure.
  14. Watching with great interest the initiative of the Government of the United States to carry out comprehensive immigration reform that we hope will stabilize management of undocumented persons, as a key step for full and effective integration.
  15. The need to intensify the fight against intolerance, xenophobia, racism and all forms of discrimination, as well as our opposition to the criminalization of migrants, abuse of authority, practices of persecution, arbitrary detention and deportation that have been installed in some recipient countries of international migration.
  16. We urge host countries in the current crisis situation that migrants are not considered as an economic adjustment, and that migrant workers receive equal treatment in employment and access to them and their families to policies and social programs in host countries.
  17. To accept the provisions of paragraph 25 of the Declaration of Quito of 2009 of the Union of South American Nations, which establishes the need to strengthen cooperation and coordination between the mechanism of integration and the South American Conference on Migration, for the purposes of articulate the space of dialogue and build a common regional approach to facilitate the movement of people towards the construction of the South American citizenship. We recognize in turn, the progress made in the specialized sub-migration in the context of the Andean Community and Mercosur.
  18. We remark with interest the developments in the policies of some governments of the region in terms of voluntary return and welcome to our migrants, framed in the necessary construction of a state policy on migration.
  19. To express its satisfaction with the progress made in implementing of the Latin American Multilateral Agreement on Social Security, and urge countries that have not made it, to expedite the signing, ratification and deposit of the agreement.



20. To welcome the holding of the Second Meeting of the Iberoamerican Forum on Migration and Development in El Salvador in 2010, as mandated by the Heads of State and Government at the XVIII Iberoamerican Summit.
21. In this regard, we thank the Republic of Paraguay the holding of the I Forum of Repatriation, Migration and Human Rights, which allowed exchange experiences on migration and at the same time, encourage the holding of the Second Regional Forum in the first quarter of 2010. Under which we commit ourselves:
- a. To consider the proposal of a South American Human Development Plan for Migration and South American Cooperation Network Migration in the next inter-sessional meeting of the Conference, to give effect to South American integration through joint coordination and South - South cooperation to ensure rights and promote abilities of people opting for mobility.
  - b. Consolidate and develop processes for citizen participation in public affairs, economic, cultural and scientific exchanges between our compatriot migrants and our country.
  - c. Monitor the implementation of decisions and commitments made in the declarations of the Conference on Migration and assess their impact on regional and country politics.
  - d. Aprobe the Web site of the CSM submitted by Ecuador as an institutional environment and space for discussion, exchange of experiences and good practices of intervention in the issue of migration between countries in the region. This tool will be administered by the presidency in exercise.
  - e. Reaffirm the decision of our government to protect the most vulnerable migrants, especially children and teenagers, migrant women, the elderly, transit migrants, people with disabilities and persons belonging to our indigenous peoples and Afro-descendants.
  - f. To reiterate the call for the countries of the region that have not yet done so to ratify and / or adapt their national legislation to the Protocol to Suppress, Prevent and Punish Trafficking of Persons, while conducive to, among countries the region, designing strategies and programs of cooperation and collaboration for the prevention of the crime of trafficking, the prosecution of their perpetrators and care for victims and the restitution of their rights, preventing their victimization.
  - g. Encourage unilateral initiatives and agreements to facilitate and regulate the conditions of residence of migrants in our



region, while we urge the countries that still have outstanding processes and procedures while performing it on the principle of consistency, not to mediate any other circumstances unrelated to the purpose.

- h. Promote the contribution of the diaspora in connection with the needs and opportunities for human development in our countries and the region through knowledge, skills and technologies sharing and other tangible and intangible resources
- i. Encourage opportunities for dialogue and construction of public policies that incorporate the contribution of civil society and other stakeholders, including migrant associations, academia, research centers, organizations and federations, and corporate and financial sector.
- j. Spread the contents of this statement and position it in international fora on migration in which we participate in a bilateral or multilateral way, especially in the Third Global Forum on Migration and Development, and the Human Rights Council of the United Nations.
- k. Congratulate the Government of the Mexican United States to assume the responsibility for organizing the IV Global Forum on Migration and

Development and engage the active participation of the countries of the South American Conference on Migration in its preparation and development.

We thank and accept with gratitude the offer of the State of Bolivia to host the Tenth Conference on Migration to be held in the course of 2010.

We welcome and appreciate the participation and involvement in this South American Conference of the Deputy Director General of IOM, Ambassador Laura Thompson, opening with this participation a new relationship with the South American region and this process of dialogue and political cooperation on international migration.

Under the process of strengthening of the South American Conference on Migration, we ask the International Organization for Migration to formulate a proposal for operation of the Technical Secretariat of the CSM that allows the achievement of the objectives set for this forum in South America, especially in areas of information generation, training of staff and training of people, and applied studies in regional migration issues.

The present delegations express their gratitude for the hospitality extended by the brothers of the Republic of Ecuador, while extending his sincere congratulations on the organization and the success achieved in the IX Conference on Migration.

Quito, September 22, 2009.