



THOUSANDS OF UNITED VOICES FIGHTING FOR MIGRANTS AND THEIR RIGHTS

The growing vulnerability of the migrant population has been an intrinsic feature in international labour migrations over the last three decades. Extreme conditions of exploitation, discrimination, criminalisation, humiliation, slavery, persecution and death are only a few of the many offences this important sector of the world's population are faced with on a daily basis. A population whose social and economic contributions in their receiving country are not only go unrecognised but, paradoxically, are also punished. This situation is worsening with the advent of the current crisis, one which is affecting capitalism on a global scale.

Faced with this panorama, there are growing numbers of accusations and protests from the different sectors of civil society, such as the academy, the church and social movements, and progressive governments. These accusations and protests are being

explored in a new form of expression; declarations, which have established themselves in the discursive space of the numerous forums on migration held across the globe.

This is why now, in our section the voice of the actors, we have decided to reproduce three important documents of this nature. Firstly, «A call to continental solidarity with God's people in movement», a result of the First Continental Seminar of Justice and Peace, carried out in Mexico in August 2007 by the Casa del Migrante, which is run by the Dominican Family in. Secondly, «Rivas' declaration» a product of the Assembly of Social Movements which met during the III World Social Forum on Migration held in September 2008, Madrid, Spain, and finally «The declaration of Montevideo on development, migration and the human rights of migrants» which was a result of the VIII South-American conference on Migration, held in September 2008.



BY WHAT RIGHT?

And the Word became
Flesh and walked among us
(Jn. 1:14)

A CALL TO CONTINENTAL SOLIDARITY WITH
THE PEOPLE OF GOD ON THE MOVE*Introduction*

On August 1-4, 2008, the First Continental Seminar of Justice and Peace on the problems of our migrant brothers and sisters took place in the Casa del Migrante, which is under the care of the Province of Santiago de Mexico of the Order of Preachers (Dominicans) in Ciudad Juarez, Chihuahua Mexico.

Forty-two Dominican sisters from sixteen congregations, twenty friars from six provinces and six Dominican laity, representing twelve countries: Argentina, Brazil, Colombia, Costa Rica, Chile, Honduras, Italy, United States, Mexico, Peru, Puerto Rico and the Dominican Republic.

The objectives of the seminar were to strengthen mutual understanding, sister and brotherhood and solidarity among Dominicans of North and South America working on Justice and Peace, especially in pastoral and social service among immigrants; conduct and analyze the political, economic, social and ecclesial situation on the continent regarding immigration; and elaborate a strategic plan for short, medium and long range action so that Dominicans from North and South America are in solidarity with people forced to

migrate because of internal violence and poverty in order to survive personally and as families. For this reason the seminar followed the pastoral methodology of see, judge and act from the Church of Latin America and the Caribbean.

For Latin America, this continental seminar signifies in a certain way the culmination of a series of seminars since 2004 on the topic of immigration. On May 26-29, 2008, the Justice and Peace Commission of the Dominican Family from the Southern Cone held a seminar in Paraguay, with the participation of the Regional Promoters of Justice and Peace of CODALC on the topic of «Land, Agrobusiness and Migration.»

On November 24-27, 2005, the Regional Promoters of Justice and Peace of CIDALC and CODALC convoked and held a seminar in El Salvador on the topic of «Work and Migration,» together with the Dominican Family from Mexico and Central America. On June 15-18, 2006, another seminar was held in Quito, Ecuador on the theme of migration, its causes and effects, together with the sisters, friars, and associates in justice and peace ministry in the Dominican Family in the Bolivarian Zone (Venezuela, Ecuador, Colombia, Peru and Bolivia).

This explains why this year the organizers wanted to center their attention on migration in Mexico as a country of origin, transit and destination for immigrants from the south, especially Central America,



and, of course, to the United States, as the principal destination. For this reason, this seminar has placed so much importance on the participation of Dominican sisters and brothers from the United States, who have for years considered this topic such a high priority in the Commission of Justice and Peace of the Dominican Family in North America, and have taken very important action to respond to it in their ministries.

After having worked in mixed groups of sisters and friars, representatives of the different countries participating in the seminar, and in plenary sessions, and after having shared rich experiences of the pastoral work of the Dominican Family with migrants on the continent, and after having listened and dialogued with specialists in human sciences, theology, and pastoral work on the theme in question, it was decided to issue the following declaration, with the purpose of distributing it to the whole Order, the wider society, public opinion and to different entities of ecclesial and political decision making at national and international levels.

1. HISTORIC REALITY OF MIGRATION

Migratory Patterns and Their Causes

During the 20th century, the patterns of international migration changed substantially. From the 19th century until World War II, international migration consisted predominantly of

masses of people traveling from Europe to the United States and Latin America.

In the mid twentieth century, massive internal migrations also occurred in the Americas as people from rural areas flocked to cities, forming a rapidly growing labor market, in response to modernization and industrialization as well as to the systematic neglect of land reform and the needs of small farmers. In the 1970s, international migrations within Latin America and from Latin America to the United States, spurred by military dictatorships in various countries, increased dramatically.

Nevertheless, it was the introduction and dominance of the neo-liberal economic model among governments, international financial institutions as well as multinational corporations in the 1980s, which severely aggravated poverty for millions of people and consequently massive migrations from Latin America to the United States, Europe and other places.

This economic model resulted in the dismantling of national economic development projects, the imposition of programs of macro economic structural adjustments that indebted governments and impoverished their people, the privatization of state owned enterprises that deprived countries of vital income for public investment (especially in the social area) and opened domestic commercial markets to unfair international trade practices, sanctioned by so-called free trade



agreements, resulting in the closings of small and medium-sized companies and ever higher levels of unemployment. An example of this system is Haiti, where 80% of the population lives on less than \$2 a day and is listed 150th on the United Nations' Index of Human Development of 155 nations. Haiti is a major sender of immigrants as well as a receiver of repatriated and expelled Haitians from the Dominican Republic.

In addition, the violence born of the poverty resulting from a failed economic model as well as the dramatic increase of drug trafficking, most notably in Colombia and Bolivia, that caused even more people to flee their homes in search of personal security and a better life. Internal and international migration became the distinctive characteristic of the time. In the face of all this forced migration of hundreds of thousands of people, we cannot remain indifferent.

Migrants Forced To Leave Their Homelands

These migrations undermined the social and productive fabric of society, forcing millions of Latin Americans to travel within their own countries or abroad to find what was denied them and their families in their homelands: serenity, peace, meaningful work and a dignified life. Families were (and continue to be) increasingly divided and torn apart, as wage earners left home to find a way to support family

members left behind. Their plan was to earn enough money to be able to return home, be reunited with their families and undertake productive employment.

This dream was hardly realized. Eventually, the desperation throughout much of Latin America became so severe that whole extended families migrated, turning small towns into wastelands for limited numbers of elderly. Families now came to understand that their migration was more than likely not going to be temporary but permanent. And at home, depopulation came to characterize many communities and whole areas, threatening the future regional and national development of their countries. The transit countries are also affected by the new rush of transitory peoples traveling through their land.

The migrants did not forget their families or communities. They worked conscientiously to faithfully send financial contributions back to them. In 2007, more than 30 million Latin American migrants sent \$68 billion to their countries of origin; of these dollars, \$24,254 went to Mexico, \$4,250 to South America, \$1,031 to Central America and \$8,370 to the Caribbean. This growth of financial contributions from migrants (remittances) reflects the dramatic growth of international migration.

From the late 1990s, governments began to show a growing interest in these remittances as an escape valve for social unrest as well as an alternative to true economic



development. Remittances have created the misguided idea that support for increased migration will effectively produce additional income for the country. This belief fails to recognize that remittances are private resources, transnational salaries, which are destined primarily to support families and some limited, elemental economic needs of small communities.

Without doubt, the migrants want to help their countries within their possibilities, but it is not their responsibility but that of the state to develop them. In the last fifteen years Latin American economies have become addicted to these remittances which has made governments more vulnerable to their economic fluctuations. The Suffering Migrants Encounter

Since the 1980s, the extreme hardships experienced by migrants in transit and in their new places of residence have become increasingly well-known. Many suffer human rights violations while on the move, such as economic exploitation, extortion and physical abuse, including rape, beatings, kidnapping and homicide.

Others fall victim to the physical challenges of the journey, such as starvation, dehydration and death in the desert, as well as mutilation from accidents on trains or diseases contracted along the way. In countries of transit, a whole industry has developed to exploit and violate the human rights of migrants, such as networks of traffickers in drugs as

well as human beings. Women and children have especially suffered at the hands of these corrupt forces.

To a significant degree, governmental authorities charged with protecting migrants have been at best unresponsive and often complicit in their exploitation, enriching themselves at the expense of the migrants. As we meet in Ciudad Juarez, we cannot fail to mention the physical violation, disappearances and murder of thousands of migrant women, who have come both to work in the maquilas and to travel to the north; which continue even today with impunity. In a word, migrants have become increasingly targets of a troubling growth of human rights violations.

In the countries of their settlement, migrants also encounter discrimination and exploitation. While their labor is more than welcome because of the unjust wages they are forced to accept, their legal presence and even their human and civil rights are denied.

Since September 11, 2001, legal initiatives in the United States have increasingly undermined the security of their labor, curtailed their freedom of movement and their opportunity to normalize their legal status as well as their efforts to secure the unity of their families. Moreover, they are increasingly vilified as threats to national security and stability and forced to live in fear in the dark recesses of society.

Today the economic recession in the United States and Europe that is causing unemployment for hundreds



of thousands of migrants is becoming undeniably evident. Efforts to massively increase deportations and adopt initiatives reflecting economic and political uncertainties, such as the European «Directive of Return», which threatens prolonged imprisonment (up to 18 months) as well as deportation, have filled the migrant communities with pervasive fear for their families and future. Thus, it is urgent for all people of faith to join together and break this distortion of life with all our strength.

THE PARADOXES OF MIGRATION: A CHALLENGE TO CONSCIENTE

We observe significant paradoxes in the absurd treatment of migrants:

1. Having nothing, migrants abandon everything;
2. To give life to their families, they have to leave them;
3. They set out in search of life but too often find death;
4. In order to exist, they need to become invisible;
5. They are forced to take risky routes but no one takes responsibility for their injury and death;
6. While their death is lamented, nothing substantive is done to avoid it;
7. Although they travel in groups, they are always alone;
8. Although condemned to a clandestine life, they are reproached for living secretly;
9. Although most in need of governmental protection, they receive it the least;
10. They are denied visas and yet imprisoned for traveling without one;
11. They aspire to a better life but are condemned to travel

through swamps, desert and mountains to find it;

12. Although they harvest the crops, they are denied food;
13. Although grossly offended, they are told their presence is offensive;
14. Accused of being violent, they are violated in their body, family and human rights;
15. Although their families consider them heroes, they are treated as criminals;
16. While considered untrustworthy, they are entrusted with other people's children.
17. Forced to migrate, they are accused of having no roots;
18. They are received as workers but denied their wages and recognition as persons;

In summary, immigrants are today's martyrs.

In light of all this we ask ourselves:

By what right are international migrants and internally uprooted persons the innocent victims of exclusion and violence?

By what right do we convert them into scapegoats for the interests and benefit of others?

By what right do we deprive them of life when they bring and create life?

We members of the Dominican family view with sorrow the suffering of migrants and their families. We cannot remain impassive nor turn away with insensitivity and thoughtlessness.

2. ENLIGHTENMENT: MIGRATION IN LIGHT OF THE WORD OF GOD AND CHURCH TEACING

May our faith and social practice be the faith and social practice of the



«God of the Journey» (2. Sam.7, 1-7): The «God of the shepherd's tent» who does not want a house of cedar but chooses to travel from one place to another, sleeping in the camp and walking with the people. This is the reality of the faithful and just companion of the migrant people: this God, the migrant companion. This God carries all his or her belongings, jumps on trains, enters a migrant detention center, sleeps in migrant shelters, crosses the desert dehydrated, almost drowns in canals and in the Rio Grande, but faithfully accompanies the migrant travelers, instilling hope.

As Dominicans, in union with Latin American and Caribbean Bishops, who, gathered for their 5th General Conference celebrated in Aparecida, Brazil in May 2007, recognized with sadness «the suffering faces» of migrants (#65, 410-430), we pledge our support for people forced to migrate in order to survive.

In our solidarity, we not only respond with compassionate service to the migrants' immediate needs, but seek to empower them to speak their truth and defend their rights. Solidarity with migrants must always reach beyond responding to them as victims to empowering them as actors determining their own destiny, as noted in the pontifical document, *Erga Migrantes Caritas Christi*, which recognized that migrants «ought to be the principal protagonists of their pastoral action» (#91).

3. COMMITMENTS

A different model of economic and political development is needed in Latin America. Let us stop the bleeding of countries which are losing increasing waves of people to forced migration. It is necessary to favor and strengthen the wellbeing of entire populations, providing employment, the services of education and health and respecting and preserving their culture as well as the search for and creation of the true conditions of peace. Government policies concerning development, peace and migration need to treat migration as one more alternative in life and not as an extreme and desperate recourse for survival, as happens now, and avoid the bleeding of entire populations into many other countries in the continent.

A change of attitudes, conceptions, and approach are also needed which involve all of us and not only state institutions. The Dominican Family is called to renew to commitment to accompany all people and communities forced to migrate within or outside their national territory.

- We commit To relate our pastoral work to civil society in solidarity with migrants in their departure, transit and settlement;
- To promote the development of migratory policies that respect the human rights of migrants and internally displaced people as well



as the creation of conditions for true peace;

- To monitor human rights violations of migrants and displaced people and make them to respective national and international institutions;
- To strengthen the role of the Dominican Family in its attention to and accompaniment with migrants and displaced persons;
- To incorporate the knowledge of migration in the area of religious formation as well as in public education;
- To work jointly through networks to defend the human rights of migrants and displaced persons
- To recover the history of migrants and displaced persons so that they can be transformed into subjects of their own destiny.

Migration is a challenge and an opportunity for the charism of St. Dominic, to preach the Good News to all people. For this reason it is necessary that we understand the phenomenon in all its complexity. Society, government, the Church, and the Dominican Order are called to confront the problems facing migrants, assuring the transformation of the unjust structural conditions that so brutally oppress them so that they too are included in the fullness of life of the human family.

Ciudad Juarez, Chihuahua, Mexico
August 4, 2008
Fiesta de Santo Domingo de Guzmán

SECOND DECLARATION OF RIVAS
ADOPTED BY THE ASSEMBLY OF SOCIAL
MOVEMENTS HELD DURING THE
III WORLD SOCIAL FORUM OF MIGRATIONS
(SEPTEMBER, 2008)

Today as we commemorate the sixtieth anniversary of the Palestinian Nakba (disaster), twenty years since the first deaths of migrants were recorded in the Straits of Gibraltar, 35 years of the military coup which overthrew democratically elected President Salvador Allende, at a historical moment when this same legitimacy is gravely threatened in Bolivia, and calls upon our conscience and solidarity, and as we celebrate the 60th year of the adoption of the Universal Declaration of Human Rights;

We, women and men, who belong to more than two thousand social movements and organizations from 90 countries around the planet, gathered together in Rivas Vaciamadrid (Spain), from September 11th to the 14th, 2008, in the spirit of our common aspirations represented in the slogan

OUR VOICES, OUR RIGHTS, FOR A WORLD
WITHOUT WALLS

1. Our voices

We are individuals, movements, and organizations of migrants, refugees, and displaced persons, and victims of



human trafficking, forced labour, and slave trading. We are also members of social movements and organisations who work together and are in solidarity with these sectors. We are individuals, collectives, and peoples who, because of our concern for migratory processes from an integral perspective, have developed actions committed to the radical transformation of the living conditions of all human beings who have been forced to migrate, to be displaced, or to seek asylum and refuge.

We, migrants, refugees, and displaced persons, our movements and organizations, and those in solidarity with our struggles, hereby constitute ourselves as a new political actor and social force on a global scale which has been further consolidated in this III World Social Forum of Migrations. For all the reasons mentioned above, and in the exercise of our legitimate rights, we raise our voices to say:

- No to the increasing deterioration of living conditions which impact the majority of the people in the world, both in the Global North and South. These conditions have a distinct impact upon migrants, refugees, and displaced persons throughout the world, and in particular on the Palestinian, Saharan, Colombian, Sudanese, Iraqi, and Afghan peoples. We also say No to the complicit policies of the United States, the European Union, and Spain in these contexts.
- No to the forced migration of indigenous peoples due to the expropriation of their land and the impact of agro-industrial and other mega-projects whose consequences include the violation of their collective rights, and the loss and destruction of their cultural roots and environment.
- No to all the varied expressions of racism and xenophobia against migrants and their communities which are increasing throughout the world, and in particular those directed against people of African origin and descent, persons who profess the Islamic faith, and those of Mexican, Central American, and Latin American origin in the United States.
- No to the reproduction and strengthening of patriarchal systems, which in the context of the feminisation of migration have led to profound disparities inherent already in existing structures and patterns of gender inequality, due to the fact that women are mainly employed in slave-like conditions, while caring for others in contexts of domestic labour.
- No to the policies and projects which stigmatise, fragment, and exclude migrants and their families and further deteriorate their social, collective, and organizational fabrics. We also reject efforts to transform migrant remittances into a substitute for authentic policies of national development in countries of origin, and to use them to reinforce existing circuits of financial capital, thereby



deepening historical, social, political, economic, and cultural inequalities to an even greater extent.

- No to conventional, hegemonic mass media discourse and coverage which reinforces the criminalisation and victimisation of migrants through stereotyping, and to xenophobia, discrimination, and racism propagated by the mass media that increases social conducts and practices of this kind in countries of destination, transit, and origin.
- No to neoliberal, capitalist globalisation, its concentration of wealth, resources, and power, and its exclusionary effects on a planetary scale, which destroy human beings, their social fabric, and the natural environment, and foment the conditions which produce contemporary forms of migration.

2. *Our Rights*

We are individuals committed to undertaking social processes to transform the realities related to these concerns. We analyse and interpret the complex reality of migration, from the perspective of human beings, their dignity, and their human rights. We also devise and implement multiple and diverse initiatives, by which we strive to fulfil our historic leading role in the overall struggle to make another world possible.

Under the current conditions of global capitalism, migrants are an

evident example of economic and social inequality among and within countries. This situation is further deepened when it coincides, as at present, with a multidimensional world crisis which is simultaneously economic and environmental in character, and includes related dimensions such as those of food and energy.

The building of geographic, political, legal, and cultural walls, such as the European «Directive of Shame», the emerging wall along the U.S.-Mexico border and its equivalents between Europe and Africa and Israel and Palestine, Plan Colombia and Plan Mexico, and other similar policies and laws, are criminal strategies that seek to extract the largest possible amount of profit through the militarization of borders and restrictions on human rights. This is the motivating force behind the externalisation of borders, their mental internalisation through policies targeting migrant workers and their families and communities through persecution, harassment, arbitrary detentions, raids, and deportations, and the impunity of border police and detention centres, where the violation of human rights is commonplace.

We insist that bilateral and regional labour agreements inspired by the Philippine model of temporary guest worker programmes or «managed migration», and their multilateral equivalents in the context of the General Agreement on Trade in Services (GATS) administered by the World Trade Organisation (WTO),



which are intended to discourage resettlement and inhibit the possibility of asserting rights, and result in the intensified exploitation and dehumanisation of workers, must comply with International Labour Organisation (ILO) Conventions 97 and 143 and other international human rights standards. The effect of such policies is the overall deterioration of the human, social, economic, and legal worth of migrant labour, and our transformation into disposable merchandise.

We affirm the need to defend, promote, extend, and deepen our rights in order to contend with the forced, slave-like, precarious character of our labour, and the central role of dignified work as part of a dignified life, that integrates freedom, equality of treatment, and adequate wages and benefits for all working people.

We value economic initiatives of solidarity which strengthen the social fabric of our communities and families and contribute to social and economic processes of transformation and the integral development of all people. At the same we reject the distortion of these objectives as part of efforts ultimately intended to undermine our rights as migrants and workers.

We promote the concept and practice of universal citizenship, and reaffirm all people's rights to freedom of movement throughout the world, which is recognized in the Universal Declaration of Human Rights and which has been extended and deepened through our struggles.

3. *For a world without walls*

A world without walls is an essential pre-condition which makes it possible to dream and build another world, and includes full compliance with Articles 13 and 14 of the Universal Declaration of Human Rights and their contemporary implications, as bases for affirming all the human rights of all migrants and «peoples in movement».

We therefore demand:

- The signing, ratification, and full implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families by those countries that have not yet done so. We commend the countries that have ratified this Convention and demand that they adapt their national legal frameworks as necessary to fully comply with its obligations. We also welcome the commitment of local authorities to support the campaign in favour of its ratification, which was initiated by the municipal authorities of our hosts in Rivas Vaciamadrid.
- The establishment of a special mandate or procedure within the UN system to address the gaps in existing instruments and instances for the integral defense and protection of the rights of migrants, refugees, and displaced persons, such as the CMW (Committee on Migrant Workers), the Special Rapporteur regarding the Human Rights of Migrants,



the UN High Commissioner for Refugees, and the Secretary General's Special Representative for Internally Displaced Persons, among others, with a particular emphasis on the creation of a permanent space where the voices of migrants, refugees, and the displaced and their movements and organizations can be heard.

- The elimination of the EU Return Directive, as well as other legal instruments that permit and encourage the harassment and arrest of migrants throughout the world; the dismantling of Frontex and all political and military mechanisms that subordinate migration policies to the supposed imperatives of «national security» within, along, and beyond borders; we also demand measures to enable on-site monitoring of detention centres with free and full access by social organisations until their final closing and elimination;
- That the borders of the world stop being places of impunity where migrants are the object of every kind of violation and crime and as result are compelled to take risks that put their lives in danger. We demand that countries of origin, transit, and destination assume their responsibilities to remedy such situations and its effects.
- The regularization and legalization of all undocumented persons or those «without papers» throughout the world, and the expansion of legal bases for the full recognition of all forms of persecution of seekers of asylum and refuge, and for them to be granted the relief that they need, from an integral human rights and gender perspective, as well as compliance with their internationally recognized «right of return» to their places of origin;
- The repudiation and cancellation of all bilateral and multilateral clauses and agreements providing for the expulsion of migrants to their places of origin against their will, which are generally imposed on countries of origin or transit as a reflection of their unequal relations with countries of destination, and which often involve serious violations of human rights, the separation of families, and retaliation by authorities in countries of origin, and a serious uprooting and disruption of the lives of migrants and their communities. This includes the annulment of agreements or clauses regarding re-admission, and the cancellation of all related trade and aid accords including provisions along these lines between the European Union, countries in the EU, and third countries, and among third countries.
- That migrants, refugees, and displaced persons and their movements and organizations be encouraged, supported, and defended when they organize, speak out, and denounce all forms of domination and exploitation, and assert their rights in resistance and struggle, and promotion of the strengthening of their movements, organizations, and mutual support networks.



- Full compliance with all international human rights and legal standards that guarantee the adequate protection of children and minors that are an increasingly important part of international migratory flows.
- The incorporation in our struggle of the demands of environmental justice, and as to the legal recognition and protection of environmental refugees resulting from global climate change and environmental destruction, as an integral part of our commitment to strive for a new world order that promotes human dignity for all people, in a manner harmonious with the Earth and its limits and potential.
- Implementation of policies that aim at guaranteeing equality of opportunities for all migrants, and the development of inclusionary measures that are not conditioned upon the legal status or administrative situation of migrants, and the promotion of policies to insure migrant access to all public services in a manner which respects their cultural diversity and identities, as well as long term policies for the integration of youth, and for the advancement and achievement of equal rights for LGBT (Lesbian, Gay, Bi-sexual, and Trans-gender) migrants and their families.
- The right to vote for migrants in local and state elections in countries of destination, and guarantees for their active participation in the determination of local development plans, in a manner which respects the autonomy of social organisations and movements, and that helps promote the recognition and effectiveness of full citizenship rights for all migrants, both in countries of destination and in their countries of origin.
- Full respect for rights of political participation of migrants in order to enable them to influence internal policies as well as external policies in their host countries in favour of the interests of their countries of origin, in a manner which provides visibility to their contributions as active agents of change in both their countries of destination and origin.
- The continuation of the collective drafting process of the World Migrant Charter, as well as other other processes and initiatives intended to strengthen the recognition and defense of the rights of migrants throughout the world.
- Support of the increased presence and strength of alternative, inclusionary and democratic mass communication media and strategies that take into account and reflect the perspectives of migrants and their communities, movements, an organisations, and that adequately reflect the complexities of migratory processes.
- We want to restore the full dimensions of the dignity of all human beings, and reaffirm our commitment to struggle together against the damaging effects of «market logic» among us, which undermines the quality of the lives of our families and



communities, and of our social movements and organisations. This includes a recognition that our identities as migrants, refugees, and displaced persons does not imply the denial of our multiple and diverse identities, demands, and struggles in other spheres.

- We commit ourselves to insure that these perspectives and concerns will be present when we gather together once more during the IV World Social Forum on Migrations in Quito, Ecuador in October 2010.
- Migration is not a crime. It is instead the conditions which produce migration that are criminal.
- We raise our voices, we defend our rights, and we struggle together in order to build a world without walls.

Rivas Vaciamadrid, September 13th, 2008

VIII SOUTH-AMERICAN CONFERENCE
ON MIGRATION, MONTEVIDEO, URUGUAY,
SEPTEMBER 17-19, 2008
DECLARATION OF MONTEVIDEO-MIGRATION,
DEVELOPMENT AND HUMAN RIGHTS
OF MIGRANTS

The Representatives of the Republic of Argentina, the Republic of Bolivia, the Federative Republic of Brazil, the Republic of Chile, the Republic of Colombia, 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 in the 8th South American Conference on Migrations, in Montevideo, held between September 17 and September 19, 2008;

Reaffirming their adherence to the principles set forth by international rules and conventions, in particular, 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 Rights of the Child, the Convention on Elimination of all Forms of Discrimination against Women, the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, the Convention relating to the Status of Refugees (1951), and the Protocol relating to the Status of Refugees (1967); the Protocols of Promotion and Protection of Human Rights of the Mercosur and the Andean Charter for the Promotion and Protection of Human Rights.

Taking into account the commitments and guidelines adopted by the Governments during the preceding South-American Conferences and the declarations on migration policy carried out by the European Union made by the Presidents of the Union of South-American Nations and by the Presidents of the Mercosur Member and Associated States; the Declaration of the Rio Group; Resolution 332 of the Latin American Integration



Association; Resolution 938 (1554/08) of the Permanent Council of the Organization of American States; the notices given by the Ministries of Foreign Affairs of the Andean Community of Nations and the Andean Court of Justice; the Declaration of Quito of the I Andean Forum on Migration and the Position of the Meeting of Ministers of the Interior of the Mercosur and Associated Members, in particular on the «Return Directive»;

Reaffirming the importance of protecting and guaranteeing the full respect of human rights of migrants and their family members, in particular women and children, regardless of their migratory status;

Reaffirming the right of every individual to free circulation and that migration is a natural condition of the human being and part of the historical development process of humanity;

Considering that the «consolidation of a South-American identity through the progressive recognition of the rights of the nationals of a Member State residing in any of the other Member States, with the purpose of obtaining a South-American citizenship» is one of the specific goals of the Union of South-American Nations;

Recognizing that poverty, inequality of opportunities, access to basic services, gender inequity, income gaps and different life conditions among the regions constitute the main reasons for migration; and that there is a shared though differentiated responsibility of the States of Origin

and the States of Destination in finding the solution to this issue;

Considering the contribution of migrants to the economic, cultural and social development of the countries of origin as well as of the countries of destination;

Considering the adoption by some receiving countries of restrictive migration policies based on the concept of security, which hinder the main rights of migrants;

Taking into account the integration process fostered by the Peoples and Governments of the region and the improvements reached during the process of free circulation and residence of persons, as well as the historically cumulated experience and the traditional opening as migrants-receiving countries;

Conscious of the significance of facing the present world context in order to reach a common position in migration issues and bearing in mind the next II Global Forum on Migration and Development to be held in Manila in October 27-30, 2008; Declare:

1. Their absolute conviction that the human being is the main issue of migration policies and programs, and consequently, priority should be given to the full exercise of migrants' rights.

2. The multidimensional characteristic of migration and the application of restrictive measures by the countries of destination do not constitute a realistic solution to irregular migration. Migration must be dealt with as a whole and in a



comprehensive way, through policies tending to eliminate factors that give origin to migration and by the promotion of dialogue among the countries of origin, transit and destination.

3. To exhort the implementation of a constructive dialogue, which must incorporate the analysis of the deep reasons of migration, caused by the asymmetries and inequity in international economic relations.

4. To refuse migrants criminalization, xenophobe, discrimination and abuse of authority and massive deportations by some receiving countries;

5. To express their refusal of the European Union approval of the so called Return Directives and the criminalization of migrants that might imply the application of this kind of rules and to point out that the returning operation may only result from the free decision of the migrant.

6. That the procedural guarantees for human rights protection of migrants and the observance of the main principles of International Law and of the pertinent international agreements, shall be primary and must not be subject to the implementation of public policies.

7. To reaffirm the will to create the mechanisms for a permanent dialogue in the field of migrations, according to the commitments undertaken in the Declaration of Lima ALC-UE, of May 16, 2008 on the basis of a widened agenda to include not only restrictive migration policies as contemplated in the European Pact on

Migration and Asylum, but also those international cooperation actions and policies for the true development of the countries of origin in accordance with the Millennium Development Goals.

8. To emphasize the importance that the developed countries should adopt the necessary policies to prevent international economic asymmetries, multimillionaire subsidies that distort competitiveness, the failure to open their markets to the products of the developing countries from deepening migration reasons, that is structural poverty, social exclusion and inequality of opportunities.

9. To exhort the European Union to promote migration policies consistent with the promotion of human rights and the integral development and urge the member states to keep and deepen the commitments undertaken in the Millennium Development Goals, the Human Rights International Law, the International Humanitarian Law and international jurisprudence in the matter, as well as in the dialogues UE-Latin America and the Caribbean, Mercosur, ACN, and Chile.

10. To exhort the European Union to reconsider the Decision adopted by the COREPER and the European Parliament and to establish procedures and mechanisms tending to the regularization of migrants from the South American region that are still in an irregular migration condition.

11. That emigration constitutes a high social and economic cost for our



countries, on account that part of the public investment in human development is transferred to the countries of destination, in prejudice of the development of the countries of origin and by the negative impact of family disintegration.

12. That, notwithstanding the right to work and to free circulation, the active capture of qualified human resources results particularly alarming, being promoted by the developed countries through discriminatory selective policies, resulting in a transfer of human resources from the less developed countries to the developed world, without an adequate cooperation and co-responsibility.

13. To exhort those countries which have not yet adhered and /or ratified and applied the International Convention on Protection of the Rights of all Migrant Workers and their families, to do so.

14. Likewise, to urge the States which have not yet adhered and/or ratified and applied the United Nations Convention against transnational organized crime, its Protocol on Illicit Traffic of Migrants by Land, Sea and Air and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women And Children, to do so.

15. To reaffirm the decision adopted by the States of the region to fight against execrable crimes of trafficking in persons and illicit trafficking in migrants, recalling, at the same time, that the re-strengthening of restrictive migration policies and

measures by some countries of destination, are one of the issues that encourage crime increase, endangering our populations. Likewise, to promote international cooperation for the protection of victims in the countries of origin, transit and destination, to include guidelines, legal protection and assistance in case of returning to the country of origin after having made a free decision.

16. To point out the progress achieved regarding free circulation of people, as a basis for development and to encourage regional integration, and urge the countries which have not yet adhered to the Residence and Immigration Regularization of the Mercosur and Associated States to do so.

17. Their decision to consolidate the South-American Migrations Conference as a permanent instance of political dialogue and cooperation in the region. The Pro Tempore Presidency, in consultation with all the countries, shall produce in the IX Conference a project proposing the operating mechanisms and strategic development of the SMC.

18. Within the framework of good practices on migration management, they agree to establish the South-American Net for Migration Governability, with the purpose of taking advantage of and spreading the capacities developed by each country member of the SMC and enhancing them on the basis of the South-American horizontal cooperation and strengthening of regional integration.



19. To hold intersessional meetings with the purpose of carrying out the follow-up of the decisions adopted by the SMC and preparing the following Conferences.

20. That it is necessary to reinforce the linking policies of the member states with the citizens residing abroad. In that sense, the SMC is a privileged forum for the exchange of experiences on such field. Therefore, this issue should be dealt with during the afore mentioned intersessional meetings.

21. To produce the Declaration of Montevideo before the II Global Forum on Migration and Development, to be held in Manila, Philippines.

22. To thank and accept the offer of the Republic of Ecuador as headquarters for the IX South-

American Conference on Migrations to be held during 2009.

23. To highlight the participation of the MIO elected General Director, Ambassador William Lacy Swing, during the deliberations of the SMC, as well as the tasks carried out by such Organization as Technical Secretariat of the Conference.

24. To thank the people and authorities of the Oriental Republic of Uruguay for their kind greeting and hospitality towards the participating Delegations and by the great organization of the VIII South-American Conference on Migrations.

Montevideo, September 19, 2008.

[Signatures of representatives of Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Paraguay, Peru, Suriname, Uruguay, Venezuela]