

**SOUTH AMERICAN CONFERENCE ON MIGRATIONS
DECLARATION OF BUENOS AIRES
POSITIONING OF THE SOUTH AMERICAN CONFERENCE ON MIGRATIONS IN RESPECT OF
THE UNITED NATIONS II HIGH-LEVEL DIALOGUE ON INTERNATIONAL MIGRATION AND
DEVELOPMENT.**

Buenos Aires, August 28, 2013.

The member countries of the South American Conference on Migrations (CSM) welcome the holding up the II High-Level Dialogue on International Migration and Development (II DAN), as a propitious instance to debate the principal aspects of international migration, and declare.

FUNDAMENTAL PRINCIPLES OF CSM

1. The South American Conference on Migrations (CSM), is the region's principal space for political dialogue and consensus in international migration matters: it has consolidated set of principles which have become a part of the characteristic identity of South America, in relation to public policy for international human mobility, drawn from the Declaration of General Principles and Guidelines of the South American Conference on Migrations and the South American Plan for Human Development of Migrations (PSDHM), approved in Cochabamba, Plurinational State of Bolivia in October 2010.

2. The human right to migration, and the recognition of migrant persons as subjects of law must lie at the centre of migration policy of countries. In this sense, CSM claims unrestricted respect for human rights of migrant persons and their families, and condemns all acts of xenophobia, discrimination and racism, or the utilitarian treatment of migrants, regardless of their condition as such, and rejects all attempts to criminalize irregular migration.

3. CSM reaffirms the positive contribution of migrant persons and their families to development in its social, economic, intercultural, educational and scientific dimensions, as well as to processes of integration and cooperation between countries.

**II
THE AMBIT OF TREATMENT OF INTERNATIONAL MIGRATIONS
AND MULTILATERAL FORA**

4. The way in which the multilateral debate on international migrations has developed in recent years has not offered the possibility for political discussion of the issue, nor any circumstances to be reached; and the very many dimensions in which it is comprised have been cut short, including the real causes of migrations, without considering all positions and perspectives from an egalitarian point of view.

5. The CSM reiterates its discomfort and disagreement at the inadequate consideration which has been given to its contributions and proposals in meetings of the Global Forum on Migration and Development, which needs a far-reaching methodological and structural review. This has made it difficult for South American's participation in the debate on international migrations to become more visible. CSM exhorts the International Community to reformulate this multilateral dialogue, to allow expression and participation by all actors in this debate on international migrations.

6. The world debate on international human mobility requires comprehensive treatment so that progress can be made in policies, the obligatory instrument by numerically great instruments and institutional practice, reflecting the commitments acquired by the international community, and their effective implementation.

7. CSM holds that the international debate on migrations should be taken back into the United Nations, which is its natural forum, and the appropriate ambit for the participation of all States on an

equal footing, to provide symmetrical proposals, and synergy in all perspectives and interests.

8. CSM recommends that the political debate on all dimensions of international migration should continue, and enable progress to be made towards the possibility of adopting a multilateral instrument with binding effect in an international convention on migrations.

9. CSM considers that the human rights perspective should be a focal point, cutting across mandates, activities and programs in the United Nations System directly involved in the structural causes of migration, and with migrant persons and their families.

10. It is also essential to develop a mandate for the Secretary General's Office of the Special Representative on Migration, and the adaptation of the objectives of the Global Migrations Group (GMG) and its constituent agencies, and the coordination of Human Rights Council's Special Rapporteur for the rights of migrant workers and their families.

11. CSM underlines the importance of the International Organization for Migration (IOM), as the only specialized intergovernmental organization worldwide with a specific mandate and vast experience in international migrations and in the process of analysis, support in the design of policies, and programs, implementation, and technical assistance and cooperation.

12. CSM draws attention to the importance of Regional Consultative Processes (RCPs) in the international migration agenda, and calls for an increase in coordination between the various existing fora which play a fundamental role and are the appropriate space to propose the adoption of transverse regional policies with a focus on rights.

13. CSM underlines the important work of the International Organization for Migrations (IOM) as the Technical Secretariat of this process, and its role in the regional preparatory activities and procedures and deliberations leading up to the II High-Level Dialogue on International Migration and Development.

III

INTERNATIONAL MIGRATION, DEVELOPMENT AND HUMAN RIGHTS.

14. For CSM, the link between migration and development goes beyond simply economic considerations, and should be approached comprehensively, including its human, social, cultural and environmental perspectives, emphasizing that the relationship between migration, development and human rights is not exhausted in discussions of remittances or private flows of funds, which can in no way be considered as part of official development aid.

15. CSM considers that it is of the greatest importance to give a new direction to the discussion of the link between migration and development, with the concurrence of new United Nations agencies and other intergovernmental organizations, providing synergy to the articulation of these discussions, particularly in matters concerned with international economic policy, and current development models.

16. CSM considers it imperative that the States promote, respect and guarantee the human rights of migrant persons and their families, independently of their migration status, in the discussion of the link between migration and development and in the design and implementation of national and international migration policies.

17. CSM considers that the facilitation of migratory regularity is basic to the human development of society as a whole, and of migrant persons and their families in particular; and it contributes to their integration into the society which receives them, along with effective enjoyment of their rights, in order to avoid situations of vulnerability. Therefore, this aspect should be included in the debate as its central point of governance of international migrations.

18. CSM considers that the greater degree of vulnerability affecting irregular migrants makes them easy victims of the traffic in persons, and the illicit traffic in migrants, and therefore States must come to provide greater protection of human rights, avoid exploitation and facilitate access to the regularization of migrant status.

19. CSM requests the inclusion of the issue of migration on the United Nations Post 2015 Development Agenda, using as inputs the progress made in South America in matters of migration. In order to acquire greater legitimacy for the process, CSM considers it necessary to provide deeper articulation between the various government agencies and civil society organizations.

IV TRAFFIC IN PERSONS AND THE ILLICIT TRAFFIC IN MIGRANTS

20. CSM draws attention to the commitment of its members to prevent, pursue and punish the traffic in persons and the illicit traffic in migrants, particularly women, girls, boys and adolescents; and attention, reparation and restitution of the rights of victims. This must be the central aspect to be considered in international debates on migration, in order to enhance dialogue and international cooperation to combat these illegal activities, and to secure the protection of the rights of each of the victims. CSM urges countries to comply fully with the terms of the Palermo Protocols, and exhorts them to implement them.

V THE RIGHTS OF INTERNATIONAL MIGRANT WORKERS

21. CSM urges States that have not yet ratified the *International Convention on the Protection of the Rights of All Migrant Workers and their Families* of 1990, to do so as soon as possible.

22. CSM urges the reinforcement of existing mechanisms in the international legal order, to guarantee the effective protection of the rights of migrant workers and their families, and the rejection of all kinds of action or omission by States designed to create discrimination against or exclusion of migrant groups, and the promotion of policies that secure respect and recognition for employment rights and the Social Security rights of migrant persons and their families.

23. CSM considers it important to include circular immigration in the international debate, reviewing its current modes, and highlighting the need for observance of access to rights and employment and pension guarantees by countries of origin and destination.

24. CSM considers that circular migrations should take place in an equitable context, with equality of treatment and access to rights as the only mode in which they can be considered a legitimate and convenient option for migrant workers and their families.

VI INTERNATIONAL COOPERATION

25. CSM transmits its concern to the High-Level Dialogue on International Migration and Development, that the necessary consultations should incorporate the interests of the parties in an egalitarian manner for international cooperation projects in this area. It therefore considers that the proposals for cooperation should be designed, prepared and implemented jointly between the receiving and offering parties, in any mode in which such projects are presented or adopted.