

## población y desarrollo

# **R**eport of the Rapporteur Symposium on International Migration in the Americas



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for Migration (OIM)

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IOM

Report prepared by the Rapporteur of the Symposium on the basis of the consensus reached by the participants in the meeting. The opinions expressed in this document which has been reproduced without formal editing, may not necessarily reflect those of the Organization.

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## Summary

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This report summarizes the debates and conclusions of the Symposium on International Migration in the Americas, which was organized by the Economic Commission for Latin America and The Caribbean (ECLAC) through the Latin American Demographic Centre (CELADE) and the International Organization for Migration (IOM) and took place in San José, Costa Rica, from 4 to 6 September 2000. The report follows the same sequence of topics as the agenda of the Symposium: migration trends and patterns in the Americas; the relationship between migration and development; governance of international migration and multilateral diplomacy; economic and social importance of migration; and human rights of migrants. The main aspects of each topic discussed during the symposium are outlined.

Government experts, specialists in international migration, delegates from civil society organizations and representatives of international organizations made a substantial contribution to the Symposium's debates. This report endeavours to reflect the consensus views of this wide range of participants, who all share the conviction that international migration is a multi-faceted phenomenon that can have positive implications for the countries involved if steps are taken to stimulate dialogue and strengthen cooperation among them. Accordingly, the purpose of this document is to provide input for the identification of specific activities in the field of international migration for inclusion in the plan of action of the third Summit of the Americas, to be held in Quebec City, Canada, from 20 to 22 April 2001.



## Introduction

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The Symposium on International Migration in the Americas was organized jointly by the Economic Commission for Latin America and the Caribbean (ECLAC) and the International Organization for Migration (IOM) and was held in San José, Costa Rica, from 4 to 6 September 2000. The symposium provided an opportunity for a large and varied group of government experts, specialists on migration and representatives of civil society organizations and of international agencies to exchange knowledge and experiences relating to international migration in the Americas. As an outcome of this exchange, the participants acknowledged that international migration is a multi-faceted phenomenon which involves all countries and which calls for international dialogue and cooperation, but that this should in no way impinge upon national sovereignty in establishing the necessary legal and political instruments to deal with international migration.

Civil society organizations of the hemisphere took an active part in the Symposium and held a concurrent one-day forum. These organizations issued a document which is attached hereto (see annex 1).

During the closing ceremony, Elizabeth Odio Benito, Acting President of Costa Rica, emphasized that the conclusions reached at the Symposium would serve as the main input for the preparations for the next Summit of the Americas as they relate to the question of international migration.

The Acting President also drew attention to the fact that the Symposium had laid the foundations for the convergence of various processes that would address the issue of migration in the region, including the Regional Conference on Migration, also known as the Puebla Process.

The purpose of this report, which summarizes the debates and conclusions of the Symposium, is to provide input for the identification of specific activities in the field of international migration that might be included in the plan of action to be formulated at the third Summit of the Americas, to be held in Quebec City, Canada, from 20 to 22 April 2001.

The Symposium, whose agenda is attached hereto (see annex 2), was divided into sessions dealing with five topics. The presentations and statements made on those topics are summarized below.



## **I. Migration trends and patterns in the Americas**

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### **Session 1**

Historically, international migration has been a critical element in the demographic, social and economic development of the region. While the trends that have been observed will continue well into the twenty-first century, the levels, trends and patterns of international migration are likely to undergo striking changes in the coming decades. In particular, globalization will have an increasing influence on migration flows, both quantitatively and qualitatively.

International migration is a complex phenomenon having numerous determinants and numerous social, economic and political implications for sending, receiving and transit countries. Insight into those determinants and consequences can not only contribute to meaningful exchanges of information and analyses, but can also dispel myths and misinformation and can provide valuable inputs for policy development and regional cooperation.

In analysing international migration, it is important to determine what form it takes, i.e., whether it is a question of labour migration, family reunification, circular and return migration, refugees and asylum seekers, undocumented migration, etc. A recognition of these different forms can greatly facilitate the adoption of measures entailing international and regional cooperation in this field.

Comparable, accurate and timely statistics and comprehensive studies on international migration provide a sound common framework for analysis and debate, which in turn contributes to the formulation of appropriate, relevant policies and programmes.

In addressing the development issues facing the countries of the Americas, improved data, statistics and analytical studies on various aspects of international migration are becoming increasingly critical. While all existing sources of information on international migration need to be fully utilized, additional information and statistics on the characteristics of migrants (age, sex, family status, education, occupation, etc.) are also needed for the formulation of policies and programmes.

The emergence of new demands for information and studies on international migration will require the implementation of innovative international research projects based on cross-country collaboration covering a broad range of issues and concerns.

The adoption of international and regional recommendations for standards, methodologies and the definition of concepts relating to international migration can contribute significantly to cooperation and collaboration among countries. Efforts to harmonize international migration information and statistics will be beneficial to all concerned.

Regional information systems on international migration in the region need to be fostered, promoted and expanded, and the broadest possible dissemination of statistics, information and experiences among the countries and in other regions of the world needs to be ensured.

## **II. The relationship between migration and development**

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### **Session 2: Impact of globalization and regional integration schemes on countries of origin and destination of migration flows. Economic and technological change and job markets in receiving and sending countries**

Subregional integration and free trade agreements have major impacts on international migration. Subregional integration agreements that are signed as a first step towards the formation of common markets contain explicit or binding commitments regarding international migration. It is not yet possible to assess subregional agreements' impact on migration flows among the countries concerned.

Temporary or circular migratory flows among the signatories to a subregional agreement pose a new challenge for the governments of those countries in respect of the creation of "community citizenship". Immigrants' social demands for access to health and education services, social security coverage and protective mechanisms in the labour market are increasing and call for creative, intelligent responses.

Although free trade treaties do not contain explicit commitments concerning international migration, this does not mean that their impacts on migration are negligible.

Migration flows among the countries participating in a free trade area or a subregional integration scheme may decline over the long term if a convergence of wages and levels of well-being takes place.

Subregional agreements call for the adoption of more open and flexible migration policies in order to permit the proper management of labour mobility.

Governments, and particularly those of the more developed countries in the region, tend to facilitate the migration of skilled workers and to impede the migration of unskilled workers. In the developing countries, it is felt that this results in a “brain drain” and that it tends to impair those countries’ development processes.

### **Session 3: Migration of skilled human resources and social impacts**

Migration will take on increased importance in national and multilateral policy. For the developed countries, the discussion of the needs of immigrants will not be confined to their numerical or social implications. Migration policy will centre on workers who provide competitive advantages.

Although the nature of the debate about the brain drain in the 1970s changed, it is recognized that the migration of skilled human resources is now a factor of fundamental importance. The need for highly skilled individuals in the more developed countries, as a result of economic and demographic changes, stimulates migration from developing countries.

Governments should design policies –in both countries of origin and countries of destination– to ensure the full utilization of the abilities of skilled migrant workers.

The international mobility of the population has positive and negative consequences at the individual, community, national or international levels. Research, including studies in the field of population, should provide more effective support for political decision-making in order to enhance the positive effects and mitigate the negative impacts of migration.

The negative social impacts of immigration are largely determined by the extent to which immigrants are (or are not) integrated into their host societies. These impacts can be analysed on the basis of three main categories: the unresolved legal status of a portion of the flow and the impacts this generates; the effects on the labour market; and the pressure exerted on the infrastructure and on urban and social services.

One of the positive social impacts of migration is cultural in nature, as in the case of the literature that is being produced, which is gaining recognition and significance based on its own merits.

Nearly half of all migrants are women, but gender issues are virtually invisible in the literature and policies on international migration. Issues relating to reproductive health and the specific vulnerability of men and women migrants warrant particular emphasis in this connection.

Some developing countries in the hemisphere feel that migration poses a threat in terms of the loss of the skilled workforce required for their development.

In order to arrive at a suitable understanding of international migration, its historical, political and social contexts need to be analysed.

The positive social effects associated with migration in some countries include its contributions in the areas of local infrastructure, social organization and education.

Sexual tourism is a matter that requires special attention and analysis as a basis for its criminalization.



### **III. Governance of international migration and multilateral diplomacy**

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#### **Session 4: International migration and the Summit of the Americas**

Our current commitment in the area of migration within the context of the Summit process is to implement the migrant worker initiative of the second Summit of the Americas, held in Santiago, Chile, in 1998. This has been brought about through measures adopted by the individual countries participating in the Summit and collective actions by these countries in cooperation with international and non-governmental (i.e., civil society) organizations.

Through subregional labour agreements, the countries participating in the Summit of the Americas have expanded the legal framework for affirming the labour-related rights and/or employment opportunities of migrant workers in the hemisphere. Nonetheless, these agreements have proven more effective in promoting trade liberalization than in facilitating labour mobility.

Increasing globalization has brought greater labour mobility, which has in turn influenced immigration controls, raised questions regarding various aspects of transnationalism (e.g. the rights of undocumented individuals, dual nationality, residence, taxes) and exacerbated illegal trafficking and the international smuggling of

human beings. It has also raised demographic questions as to how low birth rate areas will help maintain the population at its current levels.

Another important aspect of the implementation process is the fact that subregional dialogues and groupings have proven to be an effective collective means of addressing issues and concerns relating to migration. The Regional Conference on Migration and the relatively newer South American Conference on Migration are two excellent examples.

While there has been demonstrable progress since the second Summit of the Americas, the experience gained while implementing the migrant worker initiative has shown that there is an uneven awareness of and concern about the implications of migration within the hemisphere. Greater efforts therefore need to be made to create an awareness of the importance of migration within the context of the Summit process. The experience gained also underscores the need to assess the possibilities of establishing formal links with these subregional bodies, since this can contribute to closer coordination among the various action plans.

At the Summit to be held in 2001, it would be very beneficial for the analysis to cover the different aspects of migration, including the relationship between migration and economic development, with special emphasis on the role of remittances and on regional integration. At the same time, the focus should also remain on human rights issues, such as the trafficking and smuggling of migrants and the rights of migrant women and children. The promotion of legal or documented immigration is also a topic that is suggested for inclusion in the upcoming Summit.

The forthcoming Summit, to be held in Quebec City, is also an important opportunity for drawing attention to the fact that the topic of migration is one of considerable complexity. The Summit could make a valuable contribution by leading to a commitment to strengthen national institutions dealing with migration and to allocate the necessary resources. It should also send out a clear call for bilateral and multilateral cooperation, especially in relation to the portability of benefits and services and to the possibility of a hemisphere-wide commitment to support regional and multi-regional organizations. Summit leaders should, in addition, issue a description of basic rights to engender respect for the rule of law and dignity. The Summit could also foster greater respect for international instruments and conventions.

Representatives from Mexico and Costa Rica offered clarifications in regard to the draft annex on best practices for migrant workers; these changes will be incorporated into the final version.

## **Session 5: Multilateral consultations on international migration and the role of international and non-governmental organizations**

All the presentations given during this session focused on current integration processes in the hemisphere. Mention was made, in particular, of the Regional Conference on Migration, which was first held five years ago with the participation of the countries of North and Central America and the Dominican Republic. The Regional Conference on Migration, or “Puebla Process”, constitutes an exercise in dialogue and consensus-building which is considered to be an outstanding example of an exchange of views and cooperation in the field of international migration.



## 1. Multilateral consultations

The following positive aspects of the Puebla Process were highlighted:

The process permits a broad, free-flowing exchange of information among countries of origin, transit and destination.

The current state of relations among member countries is conducive to dialogue and cooperation in this field, which permits progress to be made that goes beyond the mere exchange of information.

It provides for an appropriate balance of regional interests.

The participation of officials from the countries' ministries of foreign affairs and their ministries of the interior who deal with relevant aspects of migration facilitates dialogue among the countries.

It provides for the progressive participation of representatives of civil society.

International organizations, especially the International Organization for Migration (IOM) and the Economic Commission for Latin America and the Caribbean (ECLAC-CELADE), have provided significant substantive and logistical support.

The forum has devoted due attention to some issues of importance to member countries through special technical meetings and seminars within the framework of the Plan of Action.

The Puebla Process is based on a clear definition of the roles of participating institutions (representatives of governments, non-governmental organizations, civil society and international organizations).

The establishment of a "virtual secretariat" will facilitate information exchange and communications and will thereby permit the forum to realize considerable savings.

The Puebla Process is seen as complementing existing bilateral agreements between member countries.

Regarding the South American Conference on Migration, the following was said:

As part of the process leading to the formation of the South American Conference on Migration, the First South American Encounter on Migration, Integration and Development was held in Lima in 1999. Then, in May 2000 a declaration was adopted in Buenos Aires whereby the South American Conference on Migration, composed of 10 South American countries, was created for the purpose of analysing issues relating to international migration. The Governments of Suriname and Guyana have been invited to participate in this forum beginning with the second session of the Conference.

The analysis of experiences gave rise to the following proposals:

Existing multilateral initiatives in the field of migration should be strengthened.

Further analysis is required in order to gain a better understanding of the complex phenomenon of migration, and adequate, timely data is a prerequisite for such an effort. (The United States announced it would furnish financial support for the Statistical Information System on Migration in Central America.)

The Caribbean countries may wish to consider the possibility of initiating a subregional process for dealing with migration issues.

The following issues require attention:

Illegal migration (trafficking in human beings) and extra-regional migration;

Return migration and reintegration of deportees and migrants;

The search for a balance between the national sovereignty of States and the protection of individuals' human rights;

The participation of civil society and the reinforcement of the organizations representing it as vital factors in arriving at informed decisions.

## **2. The role of international and non-governmental organizations**

With respect to international and non-governmental organizations, the following points were made:

The importance of the cooperation of international organizations in the Puebla Process was recognized.

Governments, civil society organizations and international organizations need to work together on behalf of migrant populations.

Migration information systems are needed in order to gain a better understanding of the phenomenon.

Within the sphere of international cooperation, support will be needed in order to combat illegal migration effectively; to promote legal, orderly, responsible migration; to defend migrants' rights, including their access to basic services, more effectively; and to implement mechanisms for the return of migrants and their reintegration.

In the session it was noted that balance and the performance of clearly defined roles by the various actors are essential in order for multilateral efforts relating to migration to be successful. In the first instance, it is necessary to achieve balance between small and large States at different stages of development. It is also necessary to achieve a balance between the role of government and the role of non-governmental organizations, between the control and the facilitation of migration, and between development and management.

The session also emphasized the constant necessity of active participation by all parties, including governments, international organizations and non-governmental organizations. It also stressed the necessity of active participation by other actors of fundamental importance, among them the private sector and international financial institutions, in the adoption of measures to deal with the difficult problems posed by regional migration within a multilateral context.

Private enterprise should be taken into account as a potential source of project funding – through strategic alliances with government and other creative actors—that provides benefits and improves the living conditions of migrant populations.

## **IV. Economic and social importance of migration**

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### **Session 6: Remittances and migration networks and communities**

#### **1. Remittances**

This topic was considered separately for the Caribbean, on the one hand, and for Mexico and Central America, on the other.

With respect to remittances in the Caribbean, the following considerations were emphasized:

A proportional relationship does not exist between the scale of Caribbean migration and the volume of remittances to the subregion, which seems to be smaller than would be expected. This may be an indication of a low rate of return on the human capital exported.

The highest levels of remittances are found in Jamaica and the Dominican Republic, which receive US\$ 600 million and US\$ 1.8 billion per year, respectively. These higher figures are attributable to liberalization of the foreign-exchange market and to more thorough official record-keeping in these countries.

Remittances to the Caribbean range from 5% to 10% of gross domestic product; in Haiti the percentage is higher.

The relationship between remittances and development in the Caribbean is influenced by three variables: (a) when remittances are used for household and personal consumption, their impact on the economy is not necessarily negative, since they stimulate demand for basic goods and services and help to increase productivity; (b) remittances may minimize risk in situations of economic crisis; and (c) remittances do not consist of monetary flows alone, but instead involve many additional types of resources as well.

It is estimated that between 3% and 5% of the total remittances received by the Caribbean countries is invested in production.

The consolidation of certain mechanisms for sending funds would make it possible to accelerate the flow of remittances, which could also help to lower exchange rates and raise yields.

There is an association between the flow of remittances and the degree of stability of the Caribbean countries' economies.

Remittance flows are changeable and volatile and are influenced by migration behaviour.

Remittances in Mexico and Central America display the following characteristics:

Three fourths of the remittance income in Latin America and the Caribbean is received by Mexico and Central America, and it is growing at an average annual rate of 12%. This is a highly significant macroeconomic factor for communities and local governments.

There is growing recognition of the large number of actors involved (migrant associations and clubs, local markets created by migrant groups, local communities and governments).

Community or collective remittances are another very important type of flow, but family remittances continue to account for the largest amounts, even though they are "impenetrable" to government intervention. There are several examples of successful efforts to channel collective remittances, which have been used along with public funds to finance community projects.

The money-transfer market that is used to send remittances is lacking in transparency, especially in relation to the exchange rate. It is believed that the firms engaged in transferring funds appropriate between 8% and 10% of the amounts sent.

Women appear to play a fundamental role in managing remittances intended primarily for household use.

Remittances sent to poor areas have little impact on the development of those communities. The poorest migrants have less of a chance to save because they must devote their resources to consumption and to meeting their basic needs.

Better mechanisms are needed for channelling remittances into investment and for following up on the modalities and ways in which they are used, especially at the local level.

## **2. Migrant networks and communities**

Social arrangements made by migrants are manifested in transnational networks and communities. A number of comments on this subject were made:

Current migration processes make it necessary to rethink the concepts of migration and transnational communities. These communities are well-established social networks that help to maintain migrants' identities and serve as support groups that take in new migrants and mitigate their vulnerability.

It follows from the above premise that transnational communities pose theoretical and political challenges which entail a change in the paradigm of what constitutes a migrant.

As regards migrant organizations in Argentina, there are many different organizations of immigrants from neighbouring and other Latin American countries. Some of these groups, both old and new, have become integrated into national life, especially those that include both descendents of immigrants and native-born Argentines.

Most migrant organizations are social, sporting, cultural or religious associations, although some are political in nature and others are linked to economic sectors (labour and marketing cooperatives).

Non-governmental organizations sponsored by the Catholic or Protestant churches exhibit a greater degree of consensus-building in their efforts to protect the rights of migrants.

Immigrants' participation in civil and labour organizations is of enormous importance in the State of California.



## **V. Human rights of migrants**

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### **Session 7**

Special reference was made to international legal instruments and existing institutions working in the field of migration within the framework of the United Nations, the Organization of American States (OAS) and, within the United Nations system, the International Labour Organization (ILO).

States should consider the possibility of ratifying existing instruments, in particular the International Convention for the Protection of the Rights of All Migrant Workers and their Families.

States should ensure that the proper steps are taken to incorporate their international commitments into their national laws.

Bilateral and regional cooperation among States and international organizations should be strengthened in order to ensure suitable treatment for migrant workers; the bi-national commissions on migration or regional processes that have been established in the Americas are good examples of such cooperation.

Campaigns should be undertaken to inform people about the risks of emigrating without the proper documentation and about the human rights of migrants.

Anti-xenophobia campaigns designed to do away with prejudices against migrants should be promoted.

It is important to provide law enforcement officers with training on the human rights of migrants.

Steps should be taken to criminalize the act of trafficking in migrants or to increase the penalties for such offenses.

Countries of transit, origin and destination should establish systems for sharing responsibility for the protection of the human rights of all migrants.

The fencing of borders, viewed within the current context of increasing globalization, elicited expressions of concern on the part of various participants.

Steps should be taken to promote initiatives such as the Paisano Programme and the Beta Groups, which have been designed by Mexico to aid all migrants, not only its nationals.

The participants called for a coordinated effort on the part of countries of origin and destination to define a common framework for providing due protection for fundamental guarantees for migrants.



## **Annex**

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## **Annex I**

### **1. Proposal of the Representatives of Civil Society with respect to Governance of Migratory Movements in the Americas**

We, the organizations of civil society participating in the Symposium on International Migration in the Americas and in the Forum “ Civil society: towards new forms of hemispheric cooperation on migration”, welcome the opportunity provided by this meeting to hold discussions with each other and with the representatives of national Governments, experts and representatives of intergovernmental organizations.

On the basis of the experience acquired over the years in which we have been working jointly on the issue of migration, we wish to voice the following:

We recognize the need to deepen the levels of exchange and to move forward towards closer hemispheric coordination.

We recognize that current migration trends are beyond the capacity of Governments to tackle the issue in an integral manner.

We reiterate our commitment as organizations of civil society to supplement the joint work of all the social actors involved in the management of migratory movements.

This is feasible whether through local initiatives by civil society for assisting migrants, national intersectoral meetings for giving consideration to the issues, or regional forums for collaborating with Governments to define policies relating to migration within the hemisphere.

Civil society recognizes its own need to establish a hemispheric response to migration. Faced with these challenges and the different degrees of organization and regional integration of civil society in the Americas, we invite other organizations of civil society in the different regions in the hemisphere to coordinate their activities and join this common effort.

### **2. The Position of Civil Society Organizations on Migration Trends and Patterns and their Relationship with Development in the Americas**

As members of civil organizations, we have noted the following trends within the hemisphere:

A marked increase in international and interregional migration throughout the continent due to structural problems arising from the lag in economic development, and the predominant social and political problems.

Most decisions to migrate are based on economic factors, while the interaction of labour supply and demand and the existence of social networks serve to reinforce such decisions.

The lack of endogenous conditions for regional and national economic development intensifies and increases migratory movements and makes them difficult to manage, since the tendency is to ignore such structural causes and to seek to curb them through law enforcement measures.

## **Proposals**

We, the organizations of civil society participating in the forum, “Civil society: towards new forms of hemispheric cooperation in the area of migration”, conscious that it is not sufficient to study migration issues, but rather that it is fundamental to put forward alternatives courses, make the following proposals:

1. Regional and national migration issues must necessarily be placed in the context of development policies, going beyond the framework of immiserizing macroeconomic stabilization which leads to an intensification in migration.

2. We perceive that there are no explicit migration policies in the Americas, and we therefore urge Governments to design integral migration policies that include:

Policies for admission of migrants,

Policies for social integration,

Policies on return migration, and

Policies in areas of origin.

All of these policies which include local, national and international actions from a multidimensional approach (which considers elements such as gender, childhood, race, culture and the environment) and which are geared towards policies for development as the framework which, in the medium term, enables them to exercise the right to not emigrate, by fostering the conditions for a sustained increase in well-being.

3. In order to decriminalize the approach to migration, it is important to eradicate punitive laws or measures that establish frontiers as regional fences. In this regard, the problem is not one of governance of migration in terms of management of a necessary ill in the system, but rather to address its structural causes, by generating and fostering the conditions for development. If the punitive approach is maintained, then the capacity for impoverishing the peoples of the Americas will be greater than the capacity of countries to apply law-enforcement and welfare policies, aggravating the problem and leading to dire consequences.

4. The need for public policies that integrate all the social sectors (for example, migrant and civil organizations) both for the generation of development proposals and of programmes relating to the rights of migrants at the municipal, subnational, national and international levels. To achieve these, it is important to take advantage of the resources of the North American Development Bank, which have not yet been tapped into and to repeat this initiative in other countries that have signed trade agreements.

5. Attention is drawn to the economic and social importance of migration. Nevertheless, it cannot be a substitute for economic development or the pillar of such development (it cannot replace the State’s obligations). Recognition must be given to the change in migratory patterns and to the existing vulnerability in the face of the scale of economic growth in the United States; by the same token, every effort must be made to strengthen local development proposals for migrants in both their places of origin and in their countries of destination, using local, national and international resources and taking advantage of migrants’ potential for saving and collective remittances as part of wider strategies for development with the support of Governments and international organizations.

### 3. Civil Society and Migration: towards a Common Agenda

As stated in the Universal Declaration of Human Rights, the relevant United Nations Conventions<sup>1</sup>, and the regional conventions adopted by the Organization of American States<sup>2</sup> on migration (including international migration and development, documented and undocumented migrants, refugees, persons seeking asylum and displaced persons), the States of the world, including their different civil societies, have formally agreed as follows:

To recognize that all human beings are born free and equal in dignity and rights (the right to life, liberty and security of their person) without distinction of any kind, such as race, colour, sex, language, religion, political opinion or status;

To address the structural causes of migration by promoting the settlement of conflicts, promoting peace and reconciliation, respect for human rights, respect for the independence and sovereignty of States, and the alleviation of poverty and rural underdevelopment;

To abstain from policies and practices that force persons to migrate;

To recognize the forcible and migratory nature of internal displacement;

To counter religious intolerance, racism, ethnocentrism, xenophobia and discrimination based on gender as structural causes of migration;

To prevent discrimination against all migrants and their families by safeguarding and insuring respect for their basic human rights, which include the right to seek and obtain asylum from persecution in another country;

The States have agreed to consider the inclusion of sexual violence and gender-related persecution as causes for granting refugee status;

To strengthen support for national and international mechanisms for protecting and assisting migrants;

To treat all persons fairly irrespective of their status. To provide them with equal opportunities with respect to religious practice, conditions of employment, access to health care and education, the economy, culture and other social services;

To recognize the importance of family reunification, especially for children, and to facilitate this through national legislation;

To ensure that women and children who migrate as family members are protected against abuses or violations against their human rights;

To involve migrants in the planning and implementation of social welfare programmes;

To respect the principle of non-refoulement (i.e. the principle of no forcible return) of migrants, thus facilitating readmission and reintegration of migrants without any form of penalization.

<sup>1</sup> For example, the Convention relating to the Status of Refugees, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and other resolutions adopted at United Nations world conferences.

<sup>2</sup> Such as, The American Declaration of the Rights and Duties of Man, the American Convention on Human Rights, the Convention on Asylum, the Inter-American Convention on the Prevention and Punishment of Torture, the Convention on Territorial Asylum, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para and other resolutions adopted at regional summits.

We express our concern at the adverse effects that the adoption and implementation of certain policies will have in terms of migratory movements. Reference is made, in particular, to the Colombia Plan, insofar as it generates forcible and mass migratory movements, as well as grave consequences from border operations that violate human rights and constitute an attack against the lives of migrants: witness the thousands of persons who have been killed in sea- and border-crossings.

Similarly, we express our concern at the effects of migration for political reasons. Moreover, we express our dissatisfaction with the excessive discrimination suffered by certain migrant groups.

### **Proposals**

1. Governments are urged to sign and ratify the following international instruments for protecting the human rights of migrants:
  - a. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
  - b. International Labour Organization Conventions 143 – the Convention concerning Migration in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers – and 97 – the Convention concerning Migration for Employment.
  - c. The Protocol of San Salvador.
2. The contributions of organized civil society should be taken into consideration by Governments in the elaboration of integral migration policies which incorporate full respect for human rights.
3. Governments and civil society should work together to develop mechanisms that guarantee the adoption of effective sanctions against those who exploit migrants or those involved in the traffic in persons. Such sanctions should contemplate measures for protection of the victims, especially women and children.
4. The right to asylum for all persons enshrined in the international conventions should be guaranteed.
5. Governments of the area, in coordination with organizations of civil society in the countries of origin and transit, should provide information on the legal requirements for entry, exit and employment of migrants in countries of transit and destination.
6. The Governments of the area and organizations of civil society should develop and foster joint educational campaigns on migration, its causes and effects, including the improvement of educational curricula.
7. Governments are urged to commit themselves to the unconditional guarantee of human rights in the different mechanisms for carrying out the detention, expulsion, deportation and reception of migrant persons.

We, the organizations of civil society commit ourselves to creating mechanisms for strengthening those that already exist for guaranteeing the following:

1. Strengthening national and regional networks of civil society organizations that deal with the issue of migration;
2. Maintaining and increasing the opportunities for dialogue and discussion with Governments and intergovernmental organizations in the interests of guaranteeing the dignity of migrants;

3. Including in the plans of action and mechanisms for monitoring the commitments made in this document and those emerging from this forum.
4. Strengthening and following up on the links established for the participation of civil society in the process of the Summit of the Americas, in particular the third Summit to be held in Quebec for an integral approach to the issue of migration in the hemisphere.





## Annex II

### Agenda

#### Inauguration

##### *Speakers:*

Mr. José A. Ocampo, Executive Secretary, Economic Commission for Latin America and the Caribbean (ECLAC)

Mr. Brundson McKinley, General Director, International Organization for Migration (IOM)

Mrs. Marisela Padrón, Director, Latin American and Caribbean Division, United Nations Population Fund (UNFPA)

Mr. Jaime Aparicio, Director, Office for Summit Follow-up, Organization of American States (OAS)

Mr. James Spinner, Legal Adviser, Inter-American Development Bank (IDB)

Sr. Michel Dorais, Vice Minister, Citizenship and Immigration Canada

His Excellency Mr. Miguel Ángel Rodríguez, President of Costa Rica

#### Topic 1: Migration trends and patterns in the Americas

##### Session 1

##### *Moderator:*

Joseph Chamie, United Nations Population Division

##### *I. Migration trends and patterns in the Americas*

##### *Panelists:*

1. Miguel Villa, CELADE/Population Division of ECLAC, Chile

2. Elizabeth Thomas-Hope, University of West Indies, Jamaica

##### *II. International migration information systems*

##### *Panelists:*

3. Verónica Arruñada, National Institute of Statistics and Censuses, Argentina

4. Diego López de Lera, University of La Coruña, Spain

##### *Discussants:*

1. Rosana Baeninger, National Commission for Population and Development, Brazil

2. Edward Ebanks, University of Western Ontario, Canada

## **Topic 2: The relationship between migration and development**

### **Session 2**

#### *Moderator:*

Andrew Morrison, Inter-American Development Bank (IDB)

#### *I. Impact of globalization and regional integration schemes on countries of origin and destination of migration flows*

#### *Panelists:*

1. Armando Di Filippo, ECLAC, Chile
2. Neide Patarra, State University at Campinas, Brazil

#### *II. Economic and technological change and job markets in receiving and sending countries*

#### *Panelists:*

3. Philip Martin, University of California at Davis, United States
4. Francisco Alba, The School of Mexico, Mexico

#### *Discussants:*

1. Eduardo Baumeister, Studies Centre for the Rural Development, Nicaragua
2. Dane Rowlands, Norman Paterson School of International Affairs, Carleton University, Canadá

### **Session 3**

#### *Moderator:*

Agustín Escobar, University of Guadalajara, Mexico

#### *I. Migration of skilled workers*

#### *Panelists:*

1. Demetrios Papademetriou, Carnegie Endowment for International Peace, United States
2. Adela Pellegrino, University of the Republic, Uruguay

#### *II. Social impact of migration*

#### *Panelists:*

3. Luis Ricardo Dávila, Los Andes University, Venezuela
4. George Martine, UNFPA Technical Support Team, Mexico

#### *Discussants:*

1. Alejandro Guillén, University of Cuenca, Ecuador
2. Fernando Urrea, Del Valle University, Colombia

**Topic 3: Governance of international migration and multilateral diplomacy****Session 4***Moderator:*

Marguerite Rivera Houze, Department of State, United States

*I. International migration and the Summit of the Americas**Panelists:*

1. Allan Jury, Department of State, United States
2. Gerry Van Kessel, Refugees, Citizenship and Immigration, Canada

*Discussants:*

1. Juan Martabit, Foreign Affairs Ministry, Chile
2. Manuel Ángel Castillo, School of Mexico, Mexico

**Session 5***Moderator:*

**Donald Brice**, Ministry of Foreign Affairs, Jamaica

*I. Multilateral consultations on international migration**Panelists:*

1. Gustavo Mohar, Embassy of Mexico in Washington D.C., Mexico
2. Carlos Gamarra Mujica, Ministry of Foreign Affairs, Peru

*II. Role of international and non-governmental organizations**Panelists:*

3. Héctor Dada Sánchez, Ministry of Foreign Affairs, El Salvador
4. Peter Duschinsky, International Liaison, Citizenship and Immigration Ministry, Canadá

*Discussants:*

1. Marguerite Rivera-Houze, Deputy Assistant Secretary, Bureau of Population, Refugees and Migration Affairs, Department of State, United States
2. Mary Garcia Castro, National Population and Development Commission, Brazil

**Topic 4: The economic and social impact of migration****Session 6***Moderator:*

**Fernando Urrea**, Del Valle University, Colombia

*I. Remittances and migration networks**Panelists:*

1. Wendell Samuel, Eastern Caribbean Central Bank, St. Kitts

2. Federico Torres, Independent Consulting Group S.C., Mexico

## *II. Migrants communities*

### *Panelists:*

3. Alejandro Canales, University of Guadalajara, Mexico
4. Mario Santillo, Latin America Centre of Migratory Studies (CEMLA), Argentina

### *Discussants:*

1. Pablo Serrano, Economic Commission for Latin America and the Caribbean (ECLAC), Mexico
2. Pedro Villegas, Select Committee on California Mexico-Affairs, United States

## **Tema 5: Human Rights of Migrants**

### **Session 7**

#### *Moderator:*

Lelio Mármora, International Organization for Migration (IOM), Argentina

#### *Panelists:*

1. Richard Perruchoud, International Organization for Migration (IOM), Switzerland
2. Hélio Bicudo, Inter-american Commission of Human Rights (IACHR), United States
3. Manolo Abella, International Labour Organization (ILO), Switzerland

#### *Discussants:*

1. Gabriela Rodríguez, Special Rapporteur, United Nations High Commissioner for Human Rights, Colombia
2. Roberto Cuéllar Martínez, Inter-american Institute of Human Rights, Costa Rica

## **Meeting of Experts and of Representatives of Governments and Civil Society**

Discussion panel on the findings and conclusion of the Symposium and of the NGO Forum

#### *Moderator:*

Sr. Reynaldo Bajraj, Deputy Executive Secretary, ECLAC, Chile

- I. Topics 1 y 2
- II. General debate
- I. Topics 3, 4 y 5
- II. General debate

### **Meeting Closing**

- Report of the Rapporteur: Mrs. Ana Elizabeth Cubias, Ministry of Foreign Affairs, El Salvador
- Closing Statement Mrs. Elizabeth Odio Benito, Second Vice President of Costa Rica



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