

A POSITIVE AGENDA ON MIGRATION: A shared responsibility

MAIN RESULTS OF THE IBERO-AMERICAN FORUM ON MIGRATION AND DEVELOPMENT



Secretaría General
Iberoamericana

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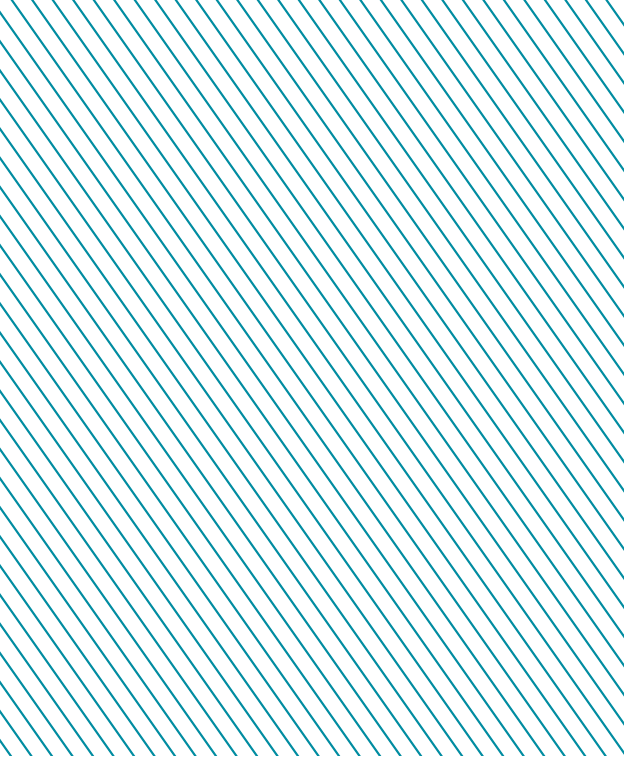
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FINAL REPORT HIGHLIGHTS AND MAIN CONCLUSIONS

1. THE MONTEVIDEO COMMITMENT ON MIGRATION AND DEVELOPMENT

The heads of state and government of the Ibero-American Community of Nations met at the 16th Montevideo Summit, held in Uruguay in November 2006. There, they adopted the “Montevideo Commitment on Migration and Development”, which is one of the most important texts of the Ibero-American project since it was established in 1991. Respecting each state’s sovereignty in developing its own migrant policies, the Commitment comprises a positive agenda that contains decisions aimed at confronting new challenges by means of the creation of a space in which to handle the matter at the highest political levels. The first part of the Commitment reaffirms common principles, while the second part, as stated in its extensive paragraph 25, contains operational commitments that establish the starting point for the development of an enormous and coordinated task on migration and development.

2. THE IBERO-AMERICAN FORUM ON MIGRATION AND DEVELOPMENT (FIBEMYD)

The establishment and organisation of this Forum was a decision taken by the heads of state and government and are part of the Montevideo Commitment: “With the objective of complying with the directives contained in the Salamanca Statement and in this Commitment, to establish and organise an Ibero-American Forum on Migration and Development in 2008. This Forum will represent a site for exchanging good practices and coordination in order to reach agreements and initiatives that are shared by the Ibero-American nations regarding this matter. We would like to note the offer of Ecuador that the city of Cuenca is the seat for the Forum’s next meeting.” (paragraph 25.q.)

At the 17th Summit held in Santiago de Chile in November 2007, the heads of state and government similarly signed the Santiago Statement and its Action Programme. Article 17 of the statement highlights the importance of the Montevideo Commitment, and paragraph 21 of the Action Programme contains the following mandate: “Entrust the Forum of Cuenca, to be held during 2008, with the design of an Action Programme that, according to the Montevideo Commitment on Migration and Development, promotes the protection of migrants’ human rights.”

3. ORGANISATION, OBJECTIVES AND DEVELOPMENT OF FIBEMYD

In compliance with the Montevideo Commitment, the Ibero-American General Secretariat (SEGIB) was entrusted with the organisation of the Ibero-American Forum on Migration and Development, for which it had the cooperation of the Economic Commission for Latin America and the Caribbean (ECLAC) through its Latin America and Caribbean Demographic Centre (CELADE), the International Organization for Migration (IOM), the Ecuadorian Government and the Municipality of Cuenca.

The Forum was held in Cuenca on 10-11 April 2008 and was attended by representatives of governments and international organisations, academics and experts on migration and development, and representatives of networks of civil organisations.

The Montevideo Commitment and the Santiago Statement Action Programme were the framework of reference for the organisation and definition of FIBEMYD topics. It also took into consideration the experiences of the Global Forum on Migration and Development, FMMD, and regional consultation processes.

The inaugural ceremony, chaired by the Minister of Foreign Affairs of Ecuador, María Isabel Salvador, saw participation from the following dignitaries: Mr Marcelo Cabrera Palacios, mayor of Cuenca; Mr Enrique V. Iglesias, Ibero-American general secretary; Mr Brunson McKinley, director general of the International Organization for Migration; Mr Dirk Jaspers, director of the Latin American and Caribbean Demographic Centre (CELADE) on behalf of Mr José Luis Machinea, ECLA executive secretary; Mr José Luis Rodríguez Zapatero, president of Spain, and Mr Manuel Zelaya Rosales, president of Honduras, both via pre-recorded video conferences; Mrs Margarita Escobar, vice minister of Foreign Affairs for Salvadorians Abroad on behalf of the pro tempore presidency of the 18th Ibero-American Summit; Mr Ronald B. Allarey, ambassador of the Philippines in the Bolivarian Republic of Venezuela on behalf of Mr. Esteban Conejos, undersecretary for Philippine Migrant Worker Affairs, pro tempore presidency of the 2nd Global Forum on Migration and Development (GFMD); Mrs Lorena Escudero, minister of the National Secretary of Migration (SENAMI) of Ecuador; and Mr Adolfo Jiménez, General Secretary of the Ibero-American Social Security Organisation (OISS).

During the inaugural ceremony, an agreement was signed on inter-institutional cooperation between the Ibero-American General Secretariat (SEGIB), the Economic Commission for Latin America and the Caribbean (ECLAC) and the International Organization on Migration (IOM). This agreement is the initial result of the meeting because these bodies have committed to establishing a coordinated area of collaboration, which will benefit from their work experiences and complementary mandates regarding migration and development, towards cooperation in the implementation of the Montevideo Commitment and the Action Programme entrusted to FIBEMYD. In addition, the Government of El Salvador expressed its wish to host the next meeting of the Ibero-American forum on Migration and Development, FIBEMYD, in 2010.

The closing ceremony had the following participants: Mr Jaime Astudillo Romero, chancellor of the University of Cuenca; Mr Enrique V. Iglesias; Mr Marcelo Cabrera Palacios and Mr Fernando Cordero, vice-president of the Constituent Assembly.

High-level political representatives of 22 member countries of the Ibero-American Conference participated at FIBEMYD, as well as representatives of other guest countries and international and regional organisations, including the European Commission, and representatives of regional consultation processes, such as the Regional Conference on Migration (RCM), the South American Conference on Migration (SACM) and representatives of the MERCOSUR Specialised Forum

on Migration and the Global Forum on Migration and Development (GFMD). Civil society also played an important role, mainly through representatives of networks related to migration.

The active participation of 32 speakers and commentators must be highlighted, who provided valuable analytical documents on migration and development, as well as good practices to be implemented in the Ibero-American area. This valuable material will be systematised, published by SEGIB and distributed during the 18th Summit, which will be held in San Salvador in October 2008.

As stated in the summons, the objectives of this meeting of the Forum were the following:

General Objective: To assure that FIBEMYD is the ideal space for the exchange of good practices and shared actions about migration and development and to consolidate cooperation routes that contribute to continuing the implementation and monitoring of the mandates of the Salamanca Statement, the Montevideo Commitment on Migration and Development and the Santiago Statement Action Programme.

Specific Objectives:

- To design an Action Programme on migration that, according to the Montevideo Commitment, fulfils the mandate established at the 17th Santiago Summit.
- To discuss the results of the study on migration and development and identify the challenges and possibilities that are imposed by relationships between migration, development and human rights in the Ibero-American region.
- To analyse good practices that could be duplicated in the Ibero-American area in order to assure that migration is a dignified, secure and organised process.
- To consolidate efficient routes of coordination, cooperation and convergence between FIBEMYD and the multilateral advisory bodies on migration and development.
- To promote the participation of networks of civil society organisations involved with migration in FIBEMYD.

FIBEMYD works were organised into six sessions and one round table, which were chaired by representatives of the member states and were attended by speakers and commentators covering the following subjects:

Introductory Session: Migration and Development. This included the assessment of the document on migration and development developed by ECLAC/CELADE in coordination with SEGIB, also using the input from IOM, the Regional Conference on Migration (RCM), the South American Conference on Migration (SACM) and the MERCOSUR Specialised Forum on Migration.

Session I: Remittances sent by Migrants. The discussion centered on experiences and good practices to reduce the costs of bank transfers and migrants' access to the financial products offered by banks. This session also included an approach to shared funding experiences such as 3 to 5x1, developed in several Ibero-American countries.

Session II: Information campaigns on human rights, on fighting human trafficking and the illegal smuggling of migrants, and on preventing irregular migration. This discussion was centred on the experiences of regional consultation processes on information campaigns, particularly of the RCM, IOM and other countries that have also produced campaigns of this nature.

Session III: Regular temporary migration programmes for work purposes. The discussion reviewed important initiatives in Ibero-American countries that contributed to better management of temporary migratory flows for work purposes.

Session IV: Integration of Migrants. The discussion included the presentation of the document developed by ECLAC/CELADE on the social and economic impact of the insertion of migrants in three selected Ibero-American countries, as well as good practices in this respect and the relevance of local management in executing integration programmes.

Session V: Liaison with Emigrated Nationals. This discussion considered liaison initiatives developed by some states with their communities abroad, the complementariness of return and co-development programmes that also contribute to strengthening the liaison of emigrated nationals with their countries of origin.

Round Table: Design of an Action Programme and Cooperation Methods to Implement the Montevideo Commitment on Migration and Development. Aimed at fulfilling the Santiago Statement, the main objective of this round table was to identify the action lines that are required in order to progress in the execution of the operative commitments agreed upon by the heads of state and government in their 16th Summit.

4. MAIN CONCLUSIONS

In accordance with its aims, good practices and lessons learned were presented in the FIBEMYD sessions. The following conclusions do not detail them, because they are stated in the corresponding papers which will be included in the meeting's final report –it will be distributed during the 18th Ibero-American Summit, to be held in San Salvador in October 2008. The conclusions summarise the main facts and aspects, as well as the suggestions for action, obtained from the experiences and reflections made during the sessions.

INTRODUCTORY SESSION: MIGRATION AND DEVELOPMENT

In accordance with paragraph 25.q of the Montevideo Commitment, the document Migration and Development was presented in this session. It was developed by ECLAC/CELADE in coordination with SEGIB and input from the IOM, the Regional Conference on Migration (RCM), the South American Conference on Migration (SACM), and the MERCOSUR Specialised Forum on Migration. This document, apart from placing migratory processes within their social, economic and political contexts and reviewing the main interrelations between those processes and the basic dimensions of development, also identifies many good practices implemented in the region.

- a) The handling of the relationship between migration and development, as well as public policies and research in this field, must be confronted from a perspective that recognises migrants' contributions to their countries of destination -both developed and developing countries- and also promotes the implications of international migration on the development of the countries of origin.
- b) Migratory matters must be the focus of the economy and politics, i.e. there is the need to "migratise" development policies in order to establish bridges between the framework contexts and the specific actions and programmes, with the triple objective of making the most of the potential of migrations, channelling them legally and deactivating migratory pressures.

- c) The relation between migration and development must go beyond economic dimensions, incorporating demographic, social, cultural, political and human rights implications, both at macro and micro levels, covering family, community and regional aspects.
- d) Bilateral and multilateral cooperation must be strengthened in strategic areas, mainly regarding remittances, organised management of migratory flows, promotion and protection of human rights, the prevention of and fight against human trafficking and the illegal smuggling of migrants, the treatment of illegal immigrants and the participation of civil society.
- e) Possessing trustworthy information on the multiple dimensions and complex realities regarding migratory phenomena in Ibero-America is especially important in order to develop public policies and migratory programmes. Specialised international organisations are being called upon to play an important role in this regard.
- f) Encouraging the design of a working methodology that can contribute to managing migration (a “how to” document) with the aim of ensuring that migration makes a positive contribution to both the countries of origin and destination and also benefits the migrants themselves.
- g) The increasing participation of women in migratory flows is one of the most important matters of the Ibero-American migratory scenario. It must be recognised that the migration of women entails a contribution to their families, communities and countries of origin and destination. There is a need to identify the situations that prevent the empowerment of women and that replicate gender inequities. Furthermore, vulnerabilities associated with the migration of women, particularly human trafficking, is a matter deserving the highest priority in Ibero-America.
- h) The gender and human rights approach must be present as a core component of the Ibero-American migratory agenda.
- i) Emigrant remittances are not the path for national development, despite the fact that it is indubitable that, due to their level and dynamics, they play very important roles in the economies and the welfare levels of individuals, families and communities, including the relief of poverty.
- j) Lack of development is not resolved by emigration, so it is essential to pay special attention to development and employment policies and to promote public and private investments.
- k) The emigration of human capital continues to be a problem in the region: high selectivity, together with scarce circulation and liaison of emigrants with their countries of origin, tends to limit the national resources that are necessary to increase competitiveness. Return and liaison are aspects that must be considered complementarily, through the best practices promoted by the states and with the active participation of civil society.
- l) Liaison with the communities of nationals abroad, imposed due to the same characteristics of globalisation and transnationality, demands the reaffirmation of human rights, assuring their protection beyond national borders, together with the effective strengthening of citizenship rights.
- m) The promotion of the opportunities offered by today’s migrations, through remittances and transnational communities, must take into account the high importance of regulatory and institutional contexts -economic, political and socio-cultural- for the development of countries.

- n) The social integration of migrants, in terms of the protection of their rights and the exercise of their responsibilities, must be promoted much more in all Ibero-American receptor countries, because it is crucial to ensure the functioning of social cohesion mechanisms and also represents a fundamental strategy for fighting against xenophobia and discrimination.
- o) General access to international law instruments, including those related to international humanitarian and refugee law, is basic for migrants to be able to fully exercise their human rights. There is also the need to thoroughly review national legislations in order to advance in adapting them to the principles and commitments established in the aforementioned documents. In this context, the ratification of the International Convention for the Protection of Rights of all Migrant Workers and their Families must be considered a basic foundation to move forward in the governability of migrations in the Ibero-American space.
- p) Strengthening and ensuring full compliance with international laws on the international protection of refugees in view of their particularly vulnerable status, and developing programmes and enlarging upon good practices aimed at protecting human rights, amongst other objectives.
- q) The strengthening dialogue and policy coordination bodies, as well as the convergence of activities between these bodies in specific areas, is vital.
- r) Civil society plays an essential role in the development of migration governance. The close connection between civil society and governments, materialised through the development of joint programmes and activities, as well as in the establishment of national debates, forums and regional consultation processes, is of the utmost importance to move forward in the Ibero-American migratory agenda.
- s) The legacy of good practices regarding migration and development that have been implemented by governments, the IOM, the Regional Conference on Migration (RCM), the South American Conference on Migration (SACM) and the MERCOSUR Specialised Forum on Migration and civil society (many of them included in the ECLAC/CELADE document). They establish a point of reference and are beginning to be replicated in the Ibero-American space. Intergovernmental agreements and those between government, private and civil society sectors, should also be promoted to extend good practices.

SESSION I: REMITTANCES SENT BY MIGRANTS

The Montevideo Commitment states in its paragraph 25.x the need to promote the necessary measures to facilitate the transfer of remittances and to identify mechanisms to reduce transfer costs, guarantee the transparency of the transfer process and reduce hidden costs.

Good practices such as the Ecuadorian government's initiative regarding the establishment of the Migrant's Bank; the Spanish government's approach to codevelopment, banking and cost reductions; codevelopment programs such as the Mexican Three For One and Cuenca's One for Two, as well as others included in the papers presented during this session, were analysed. These experiences represent invaluable input and very useful lessons learned for public managers, international and civil society organisations and for the implementation of the Ibero- American programme on migration.

- a) Remittances, which are private resources for migrants whose rights must be preserved, are neither the path for development nor a mechanism capable of replacing the central responsibility of each state regarding development and social equity policies.

- b) The consensus on remittances and development through the implementation of good practices is increasingly general, but there is still an open debate regarding the methods to promote this development as well as the migrants' level of inclusion and the nature of the initiatives in this regard. Overall, these three components can contribute to ensuring the use of good practices and their implementation in the countries receiving remittances.
- c) The task of designing solutions that can be applied to different contexts must take into account the characteristics of good practices, i.e. a high level of compatibility between reality and existing needs, authority and belonging towards the beneficiaries (access), long term self-sustainability and the possibility of replicating them in different circumstances.
- d) Furthermore, it is essential to have factual and applied knowledge of the status of local economies' productive base where experiences are to be replicated; the efficiency and capability of absorbing external resources by the local production sector is a matter to consider in order for the initiatives to be successful.
- e) Along with the previous paragraph, the presence of a state policy with the ability to influence the social and economic environment where the remittances are operating is of vital importance.
- f) The need to open and build areas for migrants to participate in development is essential and must be the focus of migratory policies in general and on remittances in particular.
- g) The experiences analysed on policy and management initiatives for development, linked to activities abroad and remittances, have allowed key points to be identified where it is necessary to move forward in the Ibero-American region, including the following:
 - (1) Decreasing informality, improving competitiveness, continuing to reduce remittance costs and offering incentives to improve transfer technologies.
 - (2) Adapting the law to allow for non-banking institutions, such as microfinancing institutions, MFIs, to be able to pay remittances.
 - (3) Accelerating economic mediation projects with credit unions and MFIs.
 - (4) Making banks commit to providing greater financial services to migrants and their families.
 - (5) Supporting projects to improve investment opportunities between home and abroad.
 - (6) Designing products that include education and health services.
 - (7) Providing technical advice on finances and information on remittances, teaching migrants about their rights, obligations and potential benefits as clients of the banking system. The relationship of this issue with illegal migrants deserves special attention.
 - (8) Making the government and the private sector commit to the development of policies that promote greater access to the financial system and to financial mediation for the recipients of remittances.
 - (9) Duly taking into account the macroeconomic dimension of remittances.
 - (10) Strengthening liaisons with communities abroad.
 - (11) Promoting alliances with the non-profit activities of community associations.
 - (12) Moving forward in knowledge transparency, using the migrants' interest in conveying their practical experiences to create economic development in their places of origin and the interest of governments with similar views.
 - (13) Improving statistics and information systems on remittances.

SESSION II: INFORMATION CAMPAIGNS

The Montevideo Commitment entrusts the SEGIB with the identification of cooperation mechanisms to contribute to states' efforts to develop special information campaigns on migrants' human rights. Furthermore, it states the need to strengthen diffusion and awareness mechanisms and train the population to prevent and fight human trafficking and the illegal smuggling of migrants and on the risks of illegal migration (25.c), d) and j). The experiences of communication strategies and government campaigns, especially in Portugal, those implemented by IOM in many countries of the region, including an experience at the Triple Border (Argentina, Paraguay and Brazil), as well as the experiences of the Regional Conference on Migration (RCM) were presented during the session. A number of civil society organisations also made great efforts in this matter, as was stated during the session.

- a) Moving forward in migration governance requires changes to the perception that people often have of migrants to eradicate discriminatory or xenophobic practices and human rights violations.
- b) There is a need to strengthen the information and training activities on migrant rights, on the violation of those rights, usually associated with the migration itself, especially with regard to women and minors, as well as to strengthen the positive contribution of migration to the societies of origin and destination.
- c) Furthermore, it is necessary to promote campaigns of diffusion, awareness and training in order to strengthen the fight against human trafficking and illegal migrant smuggling and to provide warnings about the risks entailed by illegal migration, especially for women and minors.
- d) Effective action in this regard requires the ratification of the United Nations Convention against Transnational Organised Crime and its complementary protocols: the Protocol to Prevent, Suppress and Punish Trafficking of Persons, especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. National legislations must be adapted to comply with these international instruments.
- e) Given that human trafficking and illegal migrant smuggling are transnational crimes, their prevention and control requires a multilateral initiative, including information and awareness strategies.
- f) It is particularly important for information campaigns to be supported by a solid state and to be linked to access to mechanisms that facilitate information and reporting, as well as protection and support for the victims of these crimes.
- g) There are many and valuable examples of good practice, particularly regarding the prevention of human trafficking and illegal migrant smuggling, which can constitute important input when designing regional strategies that involve simultaneously the countries of origin, transit and destination. Prevention is regarded as the area of action with the best medium-term results, and this matter is considered when carrying out actions.
- h) The experiences presented during the session highlight the most significant aspects and the extremely important lessons learned that must be considered when implementing integral communication strategies at an Ibero-American level.

SESSION III: REGULAR PROGRAMMES OF TEMPORARY MIGRATION FOR WORK PURPOSES

The Montevideo Commitment urges the prioritisation of different temporary migration methods for work purposes within the framework of specific conventions and projects between countries that contribute to improving the opportunities of migrant workers, benefiting the countries of destination and helping to develop the country of origin (25.v).

Experiences with temporary migration programmes for work purposes in Ecuador, Mexico, Spain and Peru, as well as the IOM in Guatemala, were emphasised during the session, along with these programmes' significant characteristics, their key elements and their common and different points.

- a) Countries in the Ibero-American community are called upon to promptly ratify and implement the Ibero-American Social Security Convention.
- b) Temporary migration programmes for work purposes are a potentially beneficial instrument for the development of both the countries of origin and destination, as well as helping to fight against illegal practices that involve migrant workers, thus protecting their rights.
- c) There is a need for the temporary migration programmes for work purposes to develop instruments leading to the improvement of migrants' job qualifications, in order to ensure a true impact and benefit in the communities and countries of origin, and to contribute to social and occupational mobility of workers after their return.
- d) In the Ibero-American area, there is a need to promote temporary migration programmes for work purposes that contribute to codevelopment through training methods that are compatible with the needs of the workers' countries of origin in order to effectively turn them into agents of development in their communities.
- e) One of these programme's objectives is to assure the cyclical movement and rotation of workers. However, there is a need to establish rules that can be followed by participants and, if they wish, they can also project migratory stability and even take part in longer voluntary return processes.
- f) There is not just one model to manage temporary migration programmes for work purposes, as was proved through the experiences presented. All of them are acceptable options for preventing and fighting against the increasing irregularities and illegality of migratory flows, especially of workers with low qualifications.
- g) The agreements, programmes and solutions formulated to manage temporary migrations for work purposes in the Ibero-American space must include the gender factor and feature principles and regulations for the protection and respect of workers' human rights, and be carried out within a framework of human rights equality for national and foreign workers.
- h) Furthermore, due to their nature, these types of agreements and programmes must consider the human consequences of their contents and duly assess their social, psychological and family effects, particularly for those staying in the countries of origin.
- i) It is important that policies and programmes on temporary migration for work purposes take into account information and diffusion mechanisms, including the opportunities offered by temporary migration for work purposes, the requirements needed and contractual conditions. At the same time, the workers' training and strategies for insertion, adaptation and interaction in the host society must be ensured.

- j) Consular management in the framework of programmes related to temporary migration for work purposes is highly relevant and, therefore, its involvement from the beginning of the process is indispensable.
- k) It is interesting to comparatively analyse the agreements and programmes on temporary migrant workers that are currently being executed in the Ibero-American space in order to extract and assess the most effective practices. The lessons learned during the implementation of these programmes can serve as a reference for the region's countries that plan to promote these types of programmes.
- l) The experiences of Ecuador, Spain, Mexico, Peru and IOM-Guatemala presented during the session represent valuable background information. Together with other bilateral programmes on temporary migration for work purposes currently in force in Ibero-America, they establish a platform to extend actions that promote migratory contributions to development in both the countries of origin and destination, as well as preventing illegal migration and ensuring that human rights are respected.

The ambassador of Uruguay participated in this session to propose the establishment of an Ibero-American Institute on Migrations, with headquarters in his country.

He based this proposal on the need for reliable statistical information, and said that it would be a research centre with a section devoted to creating consensus within the Ibero-American Summit, as well as promoting bilateral and regional policies and agreements.

On 28 May, SEGIB received a proposal from Uruguay on this issue as a contribution to the FIBEMYD concluding document.

SESSION IV: INTEGRATION OF MIGRANTS

The Montevideo Commitment establishes principles and commitments on the different aspects of this key issue for the Ibero-American area, as well as the mandate to SEGIB to coordinate, in collaboration with ECLAC, a study on the social and economic impact of the insertion of migrants in their countries of destination (25.u).

The study carried out by ECLAC/CELADE on the impact of migrant insertion in three selected countries, Argentina, Costa Rica and Spain, as well as the experiences on integration developed by MERCOSUR, Spanish Government public policies and programmes and those executed within the local management framework of the Spanish Federation of Municipalities and Provinces were presented during this session.

- a) The integration of immigrants, both in the labour market and in society as a whole, is extremely important in Ibero-America. Integration strengthens societies' democratic natures and increases migrants' sense of belonging in the destination society, as well as their social recognition in equal conditions and the exercise of their rights and responsibilities.
- b) The recognition of migrants is also a matter of citizenship and it is not only the exclusive responsibility of the state.
- c) The exercise of political practices in Ibero-America, with due democratic responsibility, is urged not to use the migratory issue as a weapon of electoral confrontation, thus preventing the establishment of opinions leading to social stigmatisation, xenophobia and discrimination against immigrants.

- d)** Integration policies require a set of integral actions in order to ensure a framework of rights that are enjoyed by immigrants, as well as a shared responsibility among the different levels of administration and civil society organisations.
- e)** It is essential to move forward in dealing with illegal migration, given that without migratory regulation integration cannot be achieved. As stated in the Salamanca Statement and the Montevideo Commitment, this matter represents both a political and a social challenge.
- f)** The existence of distortions in labour markets and social protection systems do not encourage satisfactory migrant insertion and integration; on the contrary, they represent a risk that fuels and deepens inequalities, exclusion and social conflicts.
- g)** Adequate supervision of labour markets is a strategy for evaluating the productive input of immigrant workers, ensuring mechanisms to organise job offers and control working standards in decent jobs.
- h)** Border control and integration policies must be harmonised in receiving countries to prevent contradictory responses to international migration, as well as to ensure migrants' human rights regardless of their migratory status.
- i)** Legal immigration in receiving societies is seen as an initial step to integration and to advancing towards the safeguard of people's citizenships.
- j)** Adopting different social inclusion strategies, corresponding to universal policies, can be a tool so that immigrants' social and cultural particularities do not create barriers to enjoying employment, social, cultural and political rights.
- k)** The search for consensus on migratory decision-taking and management processes among the different parties involved (i.e., the State at all its different levels, market players, especially employers, and civil society, including immigrant communities and their organisations) is an indispensable requirement to achieving more in-depth integration policies.
- l)** There is a need to improve the development of projects that involve intercultural matters because they promote communication and critical dialogue by building on shared values. In this context, awareness-raising policies must also be involved in this intercultural approach.
- m)** The development of awareness and support programmes for the coexistence of immigrants and local residents has proven its usefulness in widening the fields of action of public integration policies.
- n)** In the Ibero-American area, there is an important and valuable legacy of good practices on integration that should be assessed so that they can be extended as a way to move forward in recognising fundamental migrant rights. Along this line, Argentinean, Costa Rican and Spanish initiatives have demonstrated progress both at a regulatory level and in the execution of sectoral programmes that ensure migrant access to health and education.

The actions undertaken by the Spanish government, especially with the passing of the Strategic Plan on Citizenship and Integration 2007-2010, represent a valuable benchmark not only in terms of integration policies and the recognition of citizens' rights, but also in terms of a management effort that gives immigration inter-sectoral and inter-territorial consistency.

- o)** Local management of migrant social integration programmes has proven to be an appropriate tool, given the greater contact with immigrants at this level of intervention. The actions promoted by the Spanish Federation of Municipalities, the Municipality of Getafe and the Council of Andalusia could become reference frameworks for the region's countries of destination.
- p)** The Argentinean Patria Grande Programme is a good practice that merits a mention due to its importance and impact on immigrant social integration, as well as its contribution to achieving sub-regional social cohesion within the framework of MERCOSUR integration policies. The progress recorded by the latter also represents a reference framework for other regional integration processes.
- q)** The recent process of immigrant regularization adopted by the Government of Chile, which enabled some 48,000 people to regularize their residence status, also represents a noteworthy practice as it contributes to guaranteeing social inclusion and equal opportunities for migrants and their families.
- r)** The "Extended Agreement to Regularize the Labour and Migratory Status of Ecuadorian and Peruvian Nationals in the Enlarged Border Region", signed in February 2008, has proven to be a significant endeavour -and unprecedented in relations between the two countries- not only to help migrants settle permanently but also to eradicate deportations and financial sanctions for migratory crimes. This good bilateral practice is the forerunner of the Permanent Immigration Statute (consideration of which will start shortly), an instrument which, based on the principle of good faith, seeks to minimize illegal migration in the two countries.
- s)** Within a framework of cooperation and shared responsibility, dialogue between States and other relevant stakeholders involved in migratory issues must include the good practices implemented in order to decrease the risks of social conflicts that underlie migratory processes.

SESSION V: LIAISON WITH EMIGRATED NATIONALS

The Montevideo Commitment states the importance of establishing liaison mechanisms with emigrated nationals in order to preserve their cultural identity, facilitate their contact with their countries of origin and strengthen transnational networks and migrant associations. Furthermore, it states the need to strengthen the network of consulate services to efficiently support nationals abroad (25.f). It also highlights the importance of creating adequate social and economic conditions to make the voluntary return of migrants to their communities of origin and their incorporation in national development processes possible (25.b).

Liaison experiences with emigrated nationals implemented by the Chilean and Salvadorian governments, as well as the role played by codevelopment in this liaison through practices being executed by the Autonomous Region of Madrid and the Autonomous Region of Murcia, were presented during the session. Furthermore, good practices are being implemented by other countries and international and civil society organisations.

- a)** Liaison policies with emigrated nationals and those returning are part of States' efforts to recover the migrated population; both require a firm assurance of human rights.
- b)** These policies must operate not only with the objective of attracting emigrated nationals, but also with the aim of making the results of related policies influence emigration causes. This would acknowledge the right not to emigrate that is held by all citizens of any country.

- c) There is a need to define and implement inter-ministerial programmes to facilitate proper attention and development of emigrant communities, making it possible to generate integral public policies for this purpose.
- d) It is necessary to create initiatives to promote the return of those emigrated nationals who wish to do so. Cooperation between countries, international organisations and civil society is essential to overcome the complexities associated with these programmes. Furthermore, there is a need to consider that those return programmes lacking reintegration components are not sustainable in the medium term.
- e) Liaison with emigrated nationals must include the promotion of transnationalism. The debate on the political rights of emigrated nationals and emigration in general cannot be absent.
- f) In their liaison programmes, Latin American and Caribbean countries of origin must also work with the immigrants received in the region's countries in order to advance in dialogue on intraregional migration. An important task for Ibero-American Summits is to support this effort, as well as the convergence of actions in regional consultation processes in this matter. Along this line, the experiences of Chile and Argentina could be systematised in order to serve as a reference in the region, among other actions.
- g) Liaisons with emigrated nationals must be integrated into administrative structures that can ensure their conversion into public policies, as is the case of the experiences presented during the session, especially where these programmes are executed at the highest political levels.
- h) Liaison programmes must not be built solely on relations with legal immigrants; it is important to consider that illegal migrant situations are where most cases of human and working rights violations occur. Therefore it is important to point out some States' initiatives through their consulates, even demonstrating their concern about emigrant security and integrity.
- i) The liaison programmes analysed, corresponding to countries of origin and destination like Spain, which include local actions with respect to developmental and cooperation approaches, allow good practices to be extracted. These results must be assessed to adapt them to the Ibero-American region.
- j) Codevelopment offers liaison opportunities that must be expanded, given that it is a tool to strengthen shared activities for both the communities of origin and emigrated nationals.
- k) It must be stressed that the programmes analysed also open up a space for civil society participation. These practices must be broadened and systematised beyond where they are now. This is because without taking the main stakeholders' perspectives into account, it is impossible to achieve the targeted liaison.
- l) Although little emphasis was placed on liaison programmes for emigrants with high scientific and professional training, the cyclical nature of this type of emigration should be used to establish periodic liaisons with the countries of origin. The experience of Asiatic countries in this regard should be analysed to obtain lessons that could be applied to Ibero-America.
- m) Policies that contribute to making use of qualified workers through circular migration routes could be implemented in the Ibero-American region as a whole and within the framework of the agreements on economic integration.

ROUND TABLE: Design of an Action Programme and Cooperation Methods to Implement the Montevideo Commitment on Migration and Development

In accordance with paragraph 21 of the Santiago Statement Action Programme adopted during the 17th Summit, the main purpose of the round table was the interchange of ideas between the main migration stakeholders, such as consultation processes, civil society networks, the Global Forum on Migration and Development and the European Commission, on different methods of cooperation and convergence of activities for the implementation of the Montevideo Commitment and the design of an action programme for the FIBEMYD.

- a) The reference framework for the FIBYMED Action Programme is given by the principles agreed upon in the Salamanca Statement, the Montevideo Commitment on Migration and Development and the Santiago de Chile Statement.
- b) The aim of the Action Programme can be no other than the implementation of the operating commitments adopted by the 22 heads of state and government in the Montevideo Commitment on Migration and Development.
- c) Therefore, the contents of paragraph 25 of the Commitment have been included in the Action Programme draft, as well as the main conclusions of the first FIBEMYD meeting. In this regard, an ordinance must prevail according to substantive and provisional priorities.
- d) The specific activities to be executed in the framework of the FIBEMYD Action Programme must take into consideration good practices that have already been implemented and assessed by governments, the RCM and SACM regional consultation processes, the MERCOSUR Specialised Forum on Migration and other stakeholders, to the extent that they match the Montevideo operating commitments and are feasible in the Ibero-American space.
- e) The initiatives of the FIBEMYD Action Programme must strengthen the positive impact of the previously executed actions taken by these key players.
- f) In this context, the execution of the Action Programme -which will receive the name of Cuenca Action Programme (PAC)- must be based on the programmed convergence and cooperation between the different players involved in migratory issues in the Ibero-American region, which represents an optimal opportunity to extend dialogue and cooperation regarding migration and development.
- g) The signature of the SEGIB-ECLAC/CELADE-IOM Memorandum of Understanding provides enormous value in terms of inter-institutional cooperation to execute PAC activities.
- h) The FIBEMYD meeting was considered a hugely important milestone by the European Commission, especially in light of the next EU-LAC Summit to be held in Lima in May. Its final statement will contain a special paragraph on migration that will guide bi-regional relations in this matter from the Lima Summit onwards.
- i) The GFMD pro tempore presidency emphasised the convergence of objectives with the FIBEMYD, as well as the importance of its participation in the second GFMD meeting in Manila, Philippines.
- j) The representatives of organisation networks from civil society expressed their recognition and appreciation of FIBEMYD as a space for dialogue, presentation of proposals and identification of coincidences that favour coordination, convergence and joint work with civil society to ensure better policies and practices in favour of migrants, highlighting full respect for their rights.

k) The agenda established for dealing with the conclusions of the meeting and the Cuenca Action Programme is the following:

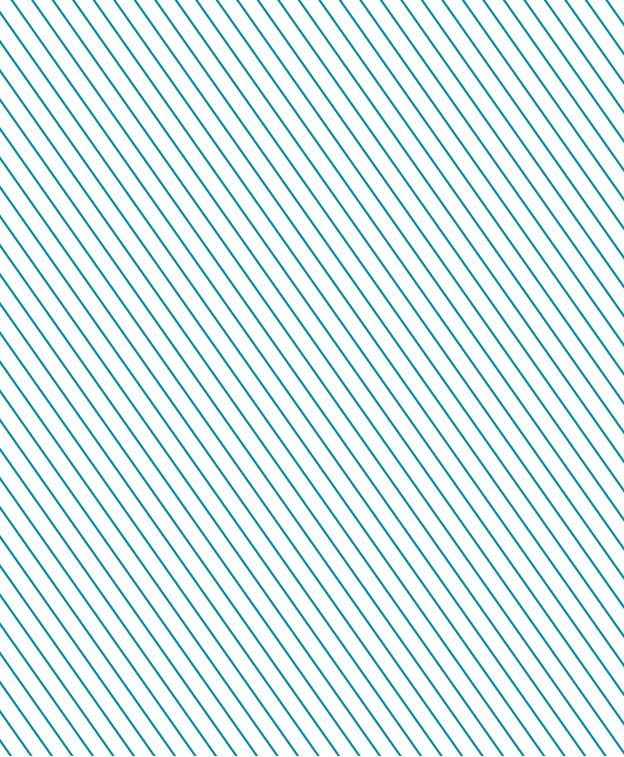
7 May: Publication of the Conclusions and the Action Programme draft on the SEGIB Website at www.segib.org;

Until 30 May: Member states will submit their comments/observations on the conclusions and the Action Programme draft;

Until 30 June: The relevant comments/observations will be added and the final report of the meeting will be finished;

4 July: Presentation of the final report to the National Coordinators.

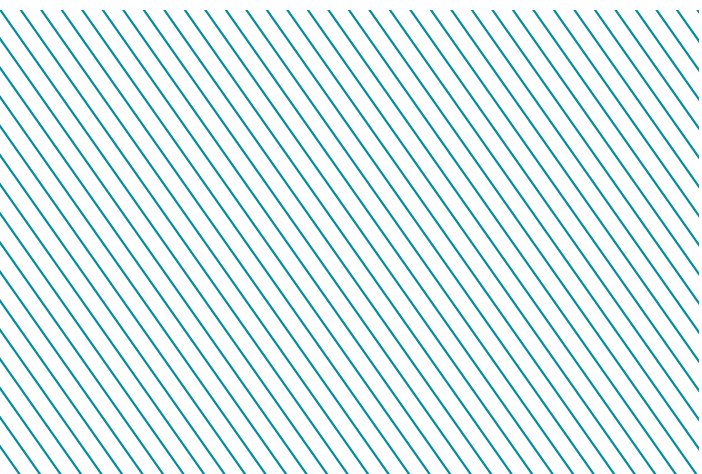
l) As stated, the Cuenca Action Programme draft that is presented below contains the operating commitments of the Montevideo Commitment grouped into the three main subject areas that were used in the action plans of the RCM and SACM Regional Consultation Processes.



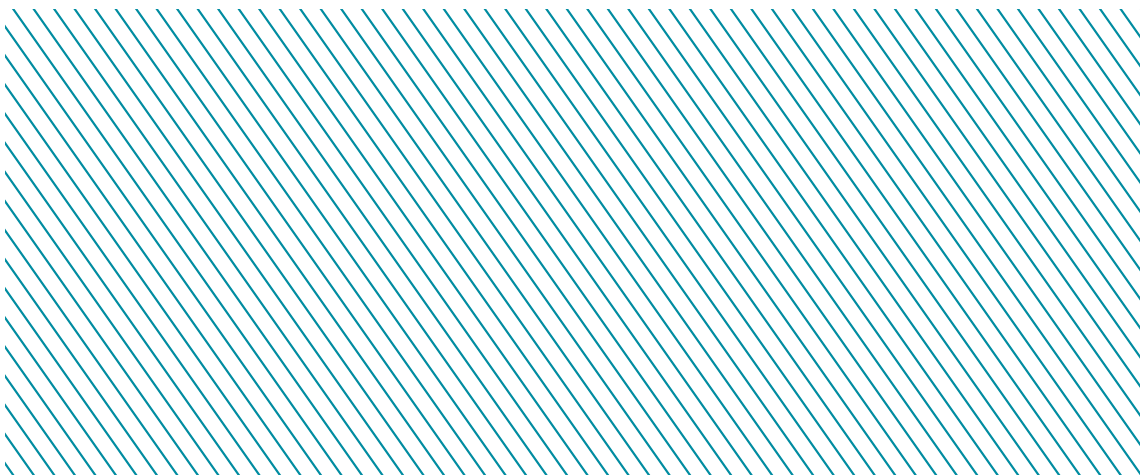
**ACTION PLAN OF CUENCA
I IBERO-AMERICAN FORUM ON MIGRATION AND DEVELOPMENT, FIBEMYD**

THEMES/CONTENTS	OBJECTIVES (paragraph 25 of the Montevideo Commitment)	ACTIVITIES
<p>MIGRATION AND DEVELOPMENT</p> <p>Migration and Economic</p>	<p>To include and give priority to migration and Study on Migration and Development and Social Integration development in the Ibero-American agenda. Furthermore, to promote the incorporation of migratory aspects on other international agendas regarding integration processes, as well as those regarding international trade, the environment, human development and international cooperation for development (25.t).</p>	<p>Study on the social and economic impact of integration on three selected countries.</p> <p>Expand identified good practices</p>
<p>Remittances</p>	<p>To facilitate their transfer, reduce remittance costs and hidden costs (25.x)</p>	<p>To broaden good practices, including the 3 to 5x1 codevelopment projects</p> <p>To consider the action recommendations of the FIBEMYD's first session</p>
<p>Portability of social forecast</p>	<p>To adopt the necessary measures to implement the Ibero-American Convention on Social Security (25.k)</p>	<p>Coordinated by IOSS</p>
<p>Migration for work purposes</p>	<p>To give priority to the different types of temporary migration for work purposes within the framework of agreements and specific projects between countries to strengthen the opportunities of migrant workers and the benefits for the country of destination and the development of the country of origin (25.f)</p>	<p>Bilateral agreements and other types</p> <p>To expand identified good practices</p>
<p>Liaison with emigrated nationals, including codevelopment</p>	<p>To establish liaison mechanisms with emigrated nationals and create conditions, including bilateral, regional and multilateral agreements, that link the contribution of these human resources to development processes in the countries of origin (25.f). To strengthen consulate service networks (25.f)</p>	<p>To replicate the good practices, including codevelopment projects, presented at FIBEMYD.</p> <p>To define an Ibero-American programme to create networks that link scientific and technical work.</p> <p>To work on intra-regional liaison.</p>

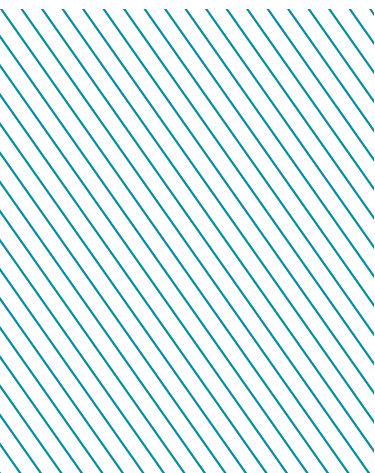
THEMES/CONTENTS	OBJECTIVES (paragraph 25 of the Montevideo Commitment)	ACTIVITIES
<p>HUMAN RIGHTS</p> <p>Information campaigns on human rights, fighting against human trafficking, illegal smuggling of migrants and the risks of illegal migration</p>	<p>To raise awareness of the rights, risks and vulnerabilities affecting illegal migrants in transit and destination countries, with an emphasis on migrant children, adolescents, young people and women (25.c and j).</p>	<p>TRANSVERSAL</p> <p>To design and diffuse an Ibero-American campaign with good practices developed by governments, the IOM and the Regional Consultation Processes</p>
<p>Integration of migrants and the fight against all kinds of discrimination</p>	<p>To incorporate migration issues in national information and education campaigns to publicise their rights and the positive contribution of migrants to their host societies (25.c)</p>	<p>To identify cooperation mechanisms to contribute to developing training campaigns at different levels</p> <p>To link this with migration and development activities. To incorporate good practices, many of which were presented at the FIBEMYD</p>
<p>International Legislation</p>	<p>To promote the ratification of international instruments and to adapt national legislations to these instruments (25.h) and (25.l)</p>	<p>In coordination with Regional Consultation Processes</p>
<p>Training regarding human rights</p>	<p>To prevent and fight against discriminatory, xenophobic and racist practices and other related intolerant attitudes against migrants (25.d)</p>	<p>To develop an Ibero-American programme with the participation of relevant players and existing good practices</p>

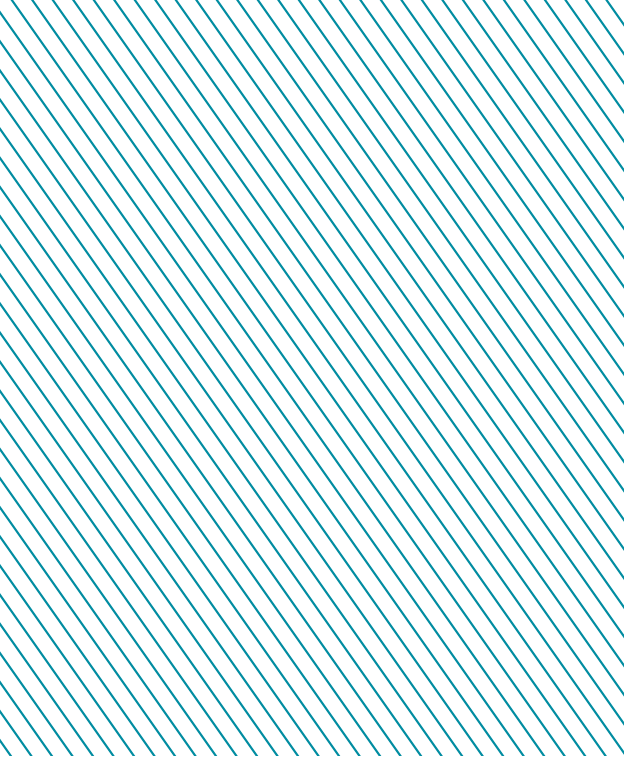


THEMES/CONTENTS	OBJECTIVES (paragraph 25 of the Montevideo Commitment)	ACTIVITIES
<p>MIGRATION MANAGEMENT</p> <p>Human trafficking and illegal smuggling of migrants</p>	<p>To strengthen bilateral and multilateral cooperation on the matter (25.j). To establish a support and protection network for victims of human trafficking (25.j). To create information exchange mechanisms between the relevant stakeholders (25.j). To strengthen communication, awareness and training mechanisms (25.j).</p>	<p>To develop an Ibero-American programme that incorporates the good practices developed by governments, the IOM, the Regional Processes of Consultation and the MERCOSUR Specialised Forum on Migration.</p>
<p>Return of migrants</p>	<p>To make the voluntary return and reinsertion of migrants in their communities of origin possible (25.b)</p>	<p>To strengthen international cooperation to implement voluntary return programmes, copying good practices, especially from the IOM and the RCM</p>
<p>Gender and Migration</p>	<p>To pay special attention to the unique features of female migration, promoting and ensuring full respect of human rights regardless of their migratory status, as well as the elimination of all kinds of discrimination and violence against them (25.l). To adopt measures that contribute to improving female migrants' living conditions and equal access to resources and services. To create actions to meet the needs of those women who stay behind as the heads of household (25.m)</p>	<p>TRANSVERSAL</p>



THEMES/CONTENTS	OBJECTIVES (paragraph 25 of the Montevideo Commitment)	ACTIVITIES
MIGRATION MANAGEMENT Indigenous and African-Descent Migration	To address the vulnerability and disadvantages that affect these population groups (25.o)	To replicate the good practices of regional processes and civil society
Migration and Youth	In accordance with the conclusions of the round table on "Youth Migration" from the "Youth and Development" seminar, held in San Salvador on 1-2 April 2008, in preparation for the 18th Summit	To identify and enlarge upon good practices and take into consideration any mandates that may arise on the subject in the 18th Summit
Migration of Minors	To ensure full compliance with international legislation, especially with regard to human rights, in the processes of return and family reunification (25.n).	To design cooperation programmes that use existing good practices





MEMORANDUM OF UNDERSTANDING AMONG SEGIB, ECLAC AND IOM

MEMORANDUM OF UNDERSTANDING BETWEEN THE IBERO-AMERICAN GENERAL SECRETARIAT (SEGIB), THE ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN (ECLAC) AND THE INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM) IN ORDER TO IMPLEMENT AND MONITOR THE MONTEVIDEO COMMITMENT ON MIGRATION AND DEVELOPMENT AND THE IBERO-AMERICAN FORUM ON MIGRATION AND DEVELOPMENT, FIBEMYD

THE PARTIES IN THIS MEMORANDUM OF UNDERSTANDING, the Ibero-American General Secretariat, henceforward 'SEGIB', represented by its General Secretary, Mr. Enrique V. Iglesias; the Economic Commission for Latin America and the Caribbean, henceforward 'ECLAC', represented by its Executive Secretary, Mr. José Luis Machinea; and the International Organization for Migration, henceforward 'IOM', represented by its Director General, Mr. Brunson McKinley,

CONSIDERING:

That SEGIB, the permanent body of institutional, technical and administrative support for the Ibero-American Conference, has wide-ranging mandates to act on migratory issues, with the aim of implementing and monitoring the commitments agreed to on this matter by the Ibero-American heads of state and government;

That ECLAC, the United Nations' Regional Commission, promotes the social and economic development of countries in Latin America and the Caribbean through regional and sub-regional cooperation and integration, and that in this context it provides technical assistance, training and information on the issue of international migration and its relationship with development -along with other issues concerning the population -while at the same time conducting applied research into similar issues;

That the IOM works with its member states and associates in the international community to help tackle the challenges posed by migration, promote understanding of migratory issues, encourage social and economic development through migration, and safeguard respect for human dignity and the human rights of migrants;

That SEGIB and ECLAC signed a Memorandum of Understanding in 2006 which established a general dynamic framework of cooperation in areas of mutual interest;

That SEGIB and IOM also signed a Memorandum of Understanding in 2006 to cooperate and collaborate on complementary activities in the field of migration;

That ECLAC and IOM also signed a Memorandum of Understanding in 1983 which established the methods of reciprocal cooperation in order to contribute to strengthening and coordinating their working programmes;

That at the 16th Summit in Montevideo, Uruguay, the Montevideo Commitment on Migration and Development was adopted, which encompasses a wide range of aspects and challenges associated with migration governance, in the context of the process of Ibero-American development and the promotion and strengthening of human rights.

That the Montevideo Commitment included setting up and convening an Ibero-American Forum on Migration and Development (FIBEMYD), the first meeting of is to be held in Cuenca, Ecuador, in April 2008, conceived as “a space to exchange good practices and coordination in order to formulate agreements and shared actions on this issue among Ibero-American nations”.

That, likewise, at the 17th Summit held in Santiago de Chile, the heads of state and government signed the Santiago Statement Action Programme which tasks FIBEMYD with designing an Action Programme on migration which, in accordance with the Montevideo Commitment, promotes the protection of migrants’ human rights;

That the three institutions regard it as particularly important to establish a tripartite method of inter-institutional cooperation that contributes to: uniting the strengths of each institution, strengthening efforts and resources, coordinating activities that promote migration governance in the Ibero-American area, developing the tasks inherent in implementing and monitoring the Montevideo Commitment on Migration and Development, including the FIBEMYD Action Programme, and;

That through effective coordination, this tripartite cooperation will bring added value to the achievement of joint objectives in terms of international migration and development, respecting the individual functions of each institution and the agreements adopted at the opportune time.

The parties have therefore agreed to sign this Memorandum of Understanding, henceforward known as the “Memorandum”:

Article I: OBJECTIVES

To establish a general framework and programme to strengthen cooperation between the Parties, with the aim of contributing to the implementation and monitoring of the Montevideo Commitment on Migration and Development and the FIBEMYD Action Programme.

Article II: AREAS OF COOPERATION

The Parties agree to strengthen their cooperation relations in order to:

- 2.1 Organize the first meeting of the Ibero-American Forum on Migration and Development, FIBEMYD, in Cuenca, Ecuador, in April 2008.

2.2 Develop activities geared towards implementing the objectives and lines of action included in point 25 of the Montevideo Commitment on Migration and Development and in the FIBEMYD Action Programme.

2.3 Strengthen international dialogue to discuss the migratory issue from an integral, comprehensive perspective, in coordination with the regional consultation processes; the South American Conference on Migration (SACM), the Regional Conference on Migration (RCM), or Puebla Process, including the participation of civil society organizations involved in migration issues and the MERCOSUR Specialised Forum on Migration.

Article III: COORDINATION OF COOPERATION ACTIVITIES

3.1 In order to facilitate the planning, execution, coordination and continuity of the cooperation activities carried out within the framework of this Memorandum, the Parties agree to set up a Coordination Committee, henceforward known as “The Committee”, which will be chaired by SEGIB and include a representative from each of the institutions.

3.2 The Parties have appointed their representatives on the Committee as follows: SEGIB is represented by Roberto Kozak, Advisor to the Secretary General on immigration issues; ECLAC is represented by Dirk Jaspers, the Director of the Latin American and Caribbean Demographic Centre (CELADE); and the IOM is represented by Eugenio Ambrosí, the Regional Representative for the Southern Cone and focal point for working relations with SEGIB. Without prejudice to these appointments, the Parties agree that other officials from their institutions who are involved in the specific issues and activities being dealt with may also participate in the Committee sessions.

3.3 The Committee will draw up a Working Programme to execute, monitor and evaluate the cooperation activities carried out within the framework of this Memorandum.

3.4 To ensure the results of the FIBEMYD are properly followed up, the tasks of the tripartite alliance will be allocated as follows:

3.4.1 SEGIB:

- (a) Coordination of implementation and monitoring activities;
- (b) Prioritizing, structuring and scheduling the relevant activities;
- (c) Following-up the topic at the Ibero-American Conference and its Summits;
- (d) Spearheading actions to attract resources.

3.4.2 ECLAC/CELADE:

- (a) Monitoring in concordance with its Member States;
- (b) Providing workspace at its headquarters in Santiago de Chile, subject to the availability of space in ECLAC’s CELADE;
- (c) Providing technical and logistical support, and
- (d) Spearheading the formulation of projects on migration and development.

3.4.3 IOM:

- (a) Monitoring in concordance with its Member States;
- (b) Providing the available infrastructure in the region's countries;
- (c) Taking part in formulating projects on migration;
- (d) Spearheading the execution of specific projects.

3.5 During the last quarter of 2008, the Parties will make an assessment of the activities carried out jointly with a view to determining the content and methods for the next year's cooperation.

Article IV: ADMINISTRATIVE AND FINANCIAL ARRANGEMENTS

4.1 The Parties will agree, separately and in writing, the administrative and financial arrangements necessary to implement the joint activities to be executed by virtue of this Memorandum. For this purpose, Complementary Minutes will be signed by way of addenda to this Memorandum.

4.2 The Parties will cooperate in obtaining the resources required to fulfil the activities mentioned in Article II.

Article V: RECOGNITION AND OWNERSHIP

5.1 In their reports, interventions, informative material and other publications, each Party will give the appropriate recognition to the contributions of the other Parties to the activities carried out under the auspices of this Memorandum.

5.2 All the rights inherent in the works executed by the Parties under the auspices of this Memorandum, in terms of funds contributed or received for these purposes, and with regard to ownership rights, copyright or patents, will be attributed to SEGIB, ECLAC and IOM, who will share the ownership rights for their use.

Article VI: PREROGATIVES AND IMMUNITIES

None of the clauses in this Memorandum or any other document relating to it should be understood as constituting a relinquishment of the prerogatives and immunities pertaining to SEGIB, ECLAC and IOM or their respective officials.

Article VII: DURATION AND AMENDMENTS

This Memorandum will go into effect from the date of its signature for an initial period of one year, which shall be extended automatically unless any of the Parties expressly states otherwise at least three months before its expiry date.

Article VIII: RESOLVING DISPUTES

Any dispute which may arise as a result of the interpretation of or compliance with this Memorandum should be resolved through direct negotiations between the Parties.

And as proof of conformity, three identical copies of this Memorandum of Understanding are hereby signed for a single purpose on the tenth of April of the year two thousand and eight.

Signed:

For the Ibero-American General Secretariat:

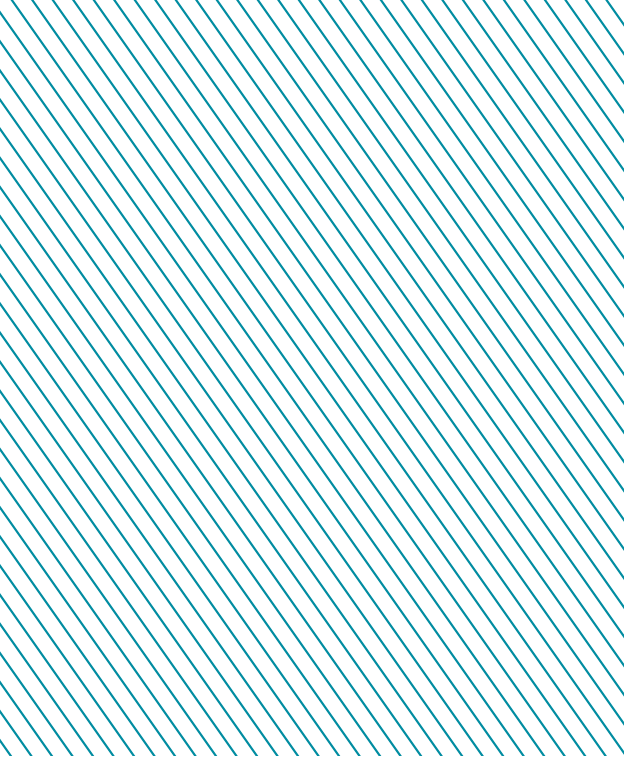
ENRIQUE V. IGLESIAS
General Secretary

For the Economic Commission for Latin American and the Caribbean:

JOSÉ LUIS MACHINEA
Executive Secretary

For the International Organisation for Migration:

BRUNSON MCKINLEY
Director General



COMMITMENT OF MONTEVIDEO ON MIGRATIONS AND DEVELOPMENT OF THE HEADS OF STATE AND GOVERNMENT OF THE IBERO-AMERICAN COMMUNITY

Gathered at the 16th Ibero-American Summit, held in Montevideo, Uruguay, during the 4th and 5th of November, 2006, the Heads of State and Government of the 22 States that constitute the Ibero-American Community of Nations approve the present document on migrations and development, which constitutes the main subject of this Summit.

Migrations have always been part of the history of Ibero-America; they mark our present and will constitute a fundamental factor in our future. Our peoples have been enriched with the cultural, scientific, academic, economical, political and social contribution of migrants. It is our obligation and our responsibility to continue guaranteeing the positive impact of migrations in our countries, as stipulated in this Commitment.

In this regard, the Heads of State and Government of the Ibero-American Community agree the following:

1. It is urgent to continue and broaden the global analysis of migration begun in the High Level Dialogue that took place at the United Nations during the 14th and 15th of the past month of September. This shall be done from a comprehensive and consistent approach that takes into account both its causes and its consequences and that, based on the respect of human rights and the realization of the development, promotes the search for mechanisms to carry out this integral treatment.
2. We highlight the celebration in Madrid (Spain) during the 18th and 19th of July, 2006, of the Ibero-American Meeting on Migration and Development, organized by the Ibero-American General Secretariat (SEGIB). This meeting represented a step forward in the analysis of the different subjects associated with migration and was a valuable contribution to the Ibero-American Community.
3. Migrations constitute a reality and a challenge of growing complexity, which requires to be tackled by the States with a multidisciplinary approach in the framework of the international

development cooperation. The countries of origin, transit and destination must assume their responsibility regarding migrations.

Good practices regarding migration must be disseminated and consolidated in the establishment of bilateral, regional and multilateral agreements. This will contribute to the organization and the dynamics of migratory flows. It must guarantee at the same time the respect towards human rights, the cultural diversity of migrants and their families and the strict observance of the principle of no discrimination or selectivity due to ethnic origin, gender, age, religion or nationality within the legal framework of each country.

4. It is imperative to place migrants at the centre of migratory programmes and projects, guaranteeing that the migratory policies totally respect the migrants' human rights within the legal framework of each State, independent of their migratory condition and whatever their nationality, ethnic origin, gender and age may be. In this spirit, we must also promote the highest participation of migrants in the host societies.
5. In the Ibero-American Agenda, the subject of migration must be tackled from an comprehensive approach, because migration is a transversal reality closely related to the lack of development, the non respect of human rights, poverty, natural disasters, political instability, the search for better living conditions, the inequity of the wealth distribution and the lack of opportunities for human development, all of them causes of migration. The creation of inclusive socioeconomic conditions could help overcome poverty, suffered by important sectors of the population, and could also contribute to avoid non controlled migratory flows. It is vital that the developing countries and the international funding and cooperation agencies consider initiatives to promote development projects, paying special attention to those communities that are most vulnerable and excluded.
6. The actions to be carried out by us at a national and international level and through the path of cooperation in order to promote the development of our countries will have a positive effect and will contribute to turn migration into a decision and not a necessity.
7. We note the importance of strengthening multilateralism. We reject all unilateral or repressive actions with international consequences that go against the climate of dialogue and the rules of mutual respect regarding migrations, with total safeguard of the power of each State to establish migratory controls and to authorize the entry of aliens and their remaining under certain conditions.
8. We recognize the importance of migrants' contribution through their work to the growth of the origin and destination countries' economies and we note their social and intercultural contributions. The policies on development cooperation help create the right conditions to reduce the need to migrate; therefore migration becomes a decision and not a necessity, something very positive considering that migrant potentials are an indispensable human asset for the prosperity of the countries of origin.
9. National laws and international agreements regarding migrations -together with certain governability criteria and an organized and responsible practice that contemplates the States' sovereignty, the principles stated in the Charter of the United Nations and the International Law- must be considered as the reference framework in the management of migratory flows.
10. The States, when exercising their right to regulate the entry and the stay of people in their territory, must respect the rules of international law, human rights, humanitarian international law and refugee international law, in regards to their respective legal areas of application.

11. The establishment of security policies and practices by the States must not stigmatize migrants.
12. Remittances must not be categorized as official development assistance because they are private funds of family solidarity and respond to the right of every human being to individually assist in the sustenance and wellbeing of other people. This right must be recognized and safeguarded, as well as the right of the recipients to receive the remittances. The States must refrain from passing laws or adopting administrative measures that could somehow act against this right. We must facilitate the process of sending remittances, reducing their cost and guaranteeing access to banking services. We will try to stimulate opportunities that promote the better use of these funds in production and investment activities that benefit the migrants' families and communities of origin.
13. We will promote the establishment of a social and international order in which all human rights are realized, according to the terms stated in article 28 of the Universal Declaration of Human Rights.
14. Apart from the bilateral cooperation regarding migrations, it is necessary to implement a multilateral framework that encompasses the objectives and principles stated in the Charter of the United Nations and in the applicable international laws, especially those related to human rights, as well as those contained in the ILO Declaration on Fundamental Principles and Rights at Work.
15. The entry and stay of foreign workers according to the means established in the respective legislations constitutes the best guarantee for the respect of migrants' human and work rights and for their full social integration. It contributes as well to increase the overall positive image of migration. Illegal migration and the existence of informal labor markets create favorable conditions for the exploitation of migrants. Strong action must be taken against the smuggling of migrants.
16. Racism, xenophobia and all kinds of discrimination against migrants and their families are impeding to human rights, democracy and the rule of law. That is why we must create conditions that favor a greater harmony, tolerance and respect between migrants and the rest of the society of the country they live in, in order to eliminate negative actions towards migrants.
17. Migration is not a crime, and therefore the States shall not develop policies aiming at criminalizing migrants. Considering the seriousness of migrants' smuggling, trafficking in persons, smuggling of minors and other forms of transnational crimes, the international community must assume a greater commitment to prevent, punish and fight these crimes, acting firmly against all actions that stimulate them. The member States must ensure the application of the United Nations Convention against Transnational Organized Crime, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Victims of these crimes, especially of trafficking in persons, deserve special attention, and must not be considered active subjects of criminal conduct. In order to achieve their effective attention and recovery, especially in the case of children and teenagers, it is imperative to establish mechanisms of coordination that include the exchange of information between the corresponding bodies.
18. Considering the progressive increase of women's participation in international migrations, we need to adopt gender equity policies that contemplate the different impact migration has on women and the need to tackle the structural causes that make them migrate.

19. The protection of minors' rights must be an active part of the most important debates on migrations, as well as part of the policies carried out by the Ibero-American countries. It is necessary to increase the efforts to ensure that migrant children get access to education and health care on equal terms with the minors of the host society, independent of their migratory condition. The illegal migration of non accompanied minors must be prevented, and the return of these minors to their countries of origin must be sought whenever this occurs.
20. When formulating new migratory policies, we shall take into account the specificity, vulnerability and complexity that characterize the migration of indigenous people, paying attention to its special characteristics. In these cases, we must also apply the international legislation that establishes and protects their specific collective rights, such as the ILO Convention no. 169 for its member states, and the United Nations Declaration on Rights of Indigenous Peoples. African descendants and other vulnerable groups deserve as well special attention.
21. All migrants must enjoy, according to each State's legal system, the full observance of the corresponding employment laws, including the principles and rights contained in the ILO Declaration on Fundamental Principles and Rights at Work.
22. Qualified migration constitutes a reality more and more widespread. It often implies for the developing countries the transference of human resources with a high economical and social cost. The generation of conditions, including bilateral, regional and multilateral agreements, is fundamental so that the contribution of these qualified human resources can be linked to the development processes of the countries of origin. This can be done through scientific and technological development as well as through the creation and maintenance of networks that link the scientific and technical work between the countries of destination and the countries of origin, and through cooperation programmes that allow them to carry out their tasks, even partially, in their countries of origin.
23. The application of programmes regarding legal temporary workers helps to increase the potential of migrant workers, benefitting the countries of destination and contributing to the development of the countries of origin. Within this framework, the design and execution of training programmes in the country of destination, compatible with the needs of the migrant workers' countries of origin, are very positive, because they allow the promotion of the human capital accumulated by them.
24. We note the Declarations approved by the ministerial meetings held throughout the year, especially those regarding Health, Childhood and Adolescence, Housing and Urban Development, Tourism, and Youth, where sectorial policies for migrants are established and agreed. We also note the Conclusions of the Ibero-American Parliamentary Forum, specifically dedicated to analyzing the Ibero-American migratory processes, and the 2nd Ibero-American Civic Meeting, that reinforce the importance of respecting the migrants' rights.
25. In the light of the above, the Heads of State and Government of the states member of the Ibero-American Community undertake to:
 - a) Maintain the respect of all States' national legislations and the international treaties in the migratory processes.
 - b) Create, according to each country's specific situation and legal system, social and economical conditions in order to make the migrants' voluntary return to their communities of origin possible, as well as their participation in the national development processes.

- c) In order to facilitate the effective social insertion of migrants, include the subject of international migrations in national information and education campaigns so as to make known the migrants' rights and vulnerability as well as their positive contribution to their host societies. Entrust the Ibero-American General Secretariat with the identification of cooperation mechanisms in order to contribute to the States' efforts in developing special information campaigns on migrants' human rights.
- d) Make efforts so the training given to managers, police and migratory authorities, teachers and other civil servants includes programmes to prevent and fight discriminatory, xenophobic and racist practices as well as any other linked types of intolerance against migrants. Likewise, carry out awareness campaigns on the risks of illegal migration.
- e) Consider measures to facilitate the migrants' family reunion, in order to achieve their greater integration in the host society and avoid their cultural exclusion, marginalization and isolation.
- f) Establish linking mechanisms with emigrated nationals in order to preserve their cultural identity, facilitate their contact with their countries of origin, strengthen transnational networks and migrants' associations and promote their relation with their countries of origin. Make efforts to reinforce the networks of consulate services in order to assist in an efficient way the interests of nationals living abroad.
- g) Promote the strengthening of human rights as a central component of migratory policies and practices in the countries of origin, transit and destination, ensuring the protection of the migrants' human rights within each State's legal system, independently of their migratory condition and whatever their nationality, ethnic origin, gender or age may be.
- h) Strengthen the international laws regarding the migrants' protection, asking the States to consider subscribing, ratifying or joining the United Nations Convention against Transnational Organized Crime and the complementing Protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air. Likewise, carry out the corresponding adaptations in the internal legal systems of each member State.
- i) Continue to discuss the ways to strengthen the standards for the protection of all migrant workers and their families, taking into account the international instruments on the subject (amongst others, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families).
- j) Firmly promote the prevention and the fight against trafficking in persons and the smuggling of migrants through a bilateral and multilateral cooperation network established amongst the Ibero-American countries. One of these actions must be the constitution of a cooperation network for victims of trafficking crimes, as well as of smuggling of minors and migrants, that contemplates amongst others the recovering of the victims. Other actions must include the reinforcement of mechanisms of dissemination, awareness and training the population in general and, especially, those civil servants in charge of enforcing the law regarding trafficking in persons and smuggling of migrants.
- k) Adopt the necessary measures to quickly and correctly implement the Ibero-American Convention on Social Security and promote agreements in respect to this, with the objective that all migrants can enjoy in their countries of origin the benefits generated by their work in their countries of destination.

l) Pay due attention to the peculiarities of feminine migration, promoting and ensuring total respect to migrant women's human rights within the framework of each State's legal system at all levels and independently of their migratory condition, as well as eliminating all forms of discrimination and violence against them.

m) Provide migrant women with fair working conditions and greater education opportunities, and adopt measures that allow the improvement of their living conditions and equal access to resources and services. Likewise, take steps to meet the needs of the women that remain in charge of their families in the countries of origin.

n) Double the efforts to ensure that migrant and refugee children and teenagers' lives are protected, have access to education and health care and have the right to have a name and a nationality. Design cooperation programmes to fully comply with the dispositions contained in the Convention on the Rights of the Child, The Hague Convention on the Civil Aspects of International Child Abduction, the Inter-American Convention on International Restitution of Minors, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Restitution of Statelessness, for those States that are part of these instruments.

o) Duly consider, when formulating migratory policies, the conditions of vulnerability and disadvantage affecting indigenous and African descendant people.

p) Strengthen the inter-regional dialogue regarding migrations, from a comprehensive approach, that leads us to an effective cooperation in this matter. This is especially important in strategic areas such as the link between migration and development, the organized management of migratory flows, the harmonization of policies and procedures, the promotion and protection of human rights and the prevention of and fight against the trafficking in persons and the smuggling of migrants, aiming at watching over the integrity and security of these criminal organizations' victims. With this purpose, we recognize the important progress made, amongst other bodies, by the South American Conference on Migrations (SACM), the Regional Conference on Migration (RCM or Puebla Process) and the MERCOSUR Specialized Forum on Migrations.

q) Establish and organize in 2008 an Ibero-American Forum on Migration and Development aiming at carrying out in an effective manner the fulfillment of the guidelines contained in the Salamanca Declaration and in this Commitment. This Forum will constitute an arena for exchanging good practices and coordination in order to articulate consensus and actions shared by the Ibero-American nations regarding this matter. We note in this respect Ecuador's offer to designate the city of Cuenca to host this Forum's next meeting. To this end, we entrust the Ibero-American General Secretariat (SEGIB) with the task of carrying out a study on migration and development with any help that may be provided by the Economic Commission for Latin America and the Caribbean (ECLAC), the International Organization for Migration (IOM), the MERCOSUR Specialized Forum on Migrations, the South American Conference on Migrations (SACM) and the Regional Conference on Migration (RCM or Puebla Process) or others. Likewise, we entrust the SEGIB with the task of making the corresponding proposals in cooperation with the member States, aiming at establishing the aforementioned Forum.

r) Receive with interest the proposal made by the United Nations Secretary-General to establish a Global Forum on Migration and Development of informal, voluntary and consulting nature, open to the participation of all the United Nations Member States. This Forum would consider the participation of all the parties involved in order to promote the debate on migrations from a comprehensive approach, to promote cooperation and the exchange of better

practices regarding migrations and to favor a greater coordination in the treatment of this matter.

- s) Promote the signing of bilateral and regional agreements in the Ibero-American area which, together with governability criteria, could help achieve an organized management of the migratory flows in order to ensure the social integration of migrants in their countries of destination.
- t) Make the subject of migration and development a priority in the Ibero-American agenda, pointing out that poverty, unemployment and the lack of opportunities, as well as big differences in the income and the living conditions between regions are fundamental causes of migrations. Likewise, promote the incorporation of migratory aspects to other international agendas regarding population movements such as: international trade, human development, environment, use of technology and international development cooperation.
- u) Entrust the SEGIB with the coordination, together with the Economic Commission for Latin America and the Caribbean (ECLAC), of carrying out a study on the social and economic impact of migrants' insertion in the countries of destination.
- v) Prioritize the diverse ways of temporary migration for working purposes, within the framework of specific conventions and projects between countries, to contribute to increasing the migrant workers' potential, benefiting the country of destination and contributing to the country of origin's development.
- w) Study better ways to create conditions aiming at facilitating the return -including the temporary return- of qualified migrants to their countries of origin, stimulate the exchange of technological and scientific knowledge of the abovementioned migrants with their countries and promote measures to facilitate the reinsertion of migrants when they decide to return to their countries of origin.



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