

615(XXXI) INTERNATIONAL MIGRATION

The Economic Commission for Latin America and the Caribbean,

Reiterating the fundamental principles enshrined in the Universal Declaration of Human Rights, which recognizes that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set forth in that declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, economic position, birth or other status,

Reaffirming the provisions concerning migrants approved by the World Conference on Human Rights of 1993,¹ the International Conference on Population and Development of 1994,² the World Summit for Social Development of 1995 and its Programme of Action,³ and the Platform for Action adopted at the Fourth World Conference on Women, held in 1995,⁴

Recalling the relevant resolutions adopted by the United Nations General Assembly, in particular resolutions 57/270 B, 58/190 and 58/208, paragraphs 61, 62 and 63 of resolution 60/1, and resolutions 60/206 and 60/227, which provide for a high-level dialogue to be held during the sixtieth session of the General Assembly in order to examine the multiple interrelationships existing between international migration and development with a view to determining appropriate means for taking the fullest possible advantage of the benefits afforded by migration in terms of development,

Recalling also the Convention on the Elimination of All Forms of Discrimination against Women of 1981,⁵ the International Convention on the Elimination of All Forms of Racial Discrimination of 1969,⁶ the Declaration on the Elimination of Violence against Women of 1993,⁷ the Convention on the Rights of the Child of 1990,⁸ and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 1989,⁹

Bearing in mind the highly important nature of the central proposals and guidelines contained in the Millennium Declaration¹⁰ for an understanding of the close ties between international migration and the integral development of human beings,

Considering the explicit guidelines concerning international migration contained in the Plan of Action adopted at the fourth Summit of the Americas and the provisions contained in the Declaration of Salamanca, adopted at the fifteenth Ibero-American Summit of Heads of State and Government, which

¹ A/CONF.157/24 (Part I), chapter III.

² Report of the International Conference on Population and Development, Cairo, 5 - 13 September 1994 (United Nations publication, Sales No: E.95.XIII.18), chap. I, resolution 1, annex.

³ Report of the World Summit on Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

⁴ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

⁵ United Nations, Treaty Series, vol. 1249, No. 20378.

⁶ Resolution 2106 A (XX), annex.

⁷ Resolution 48/104.

⁸ Resolution 44/25, annex.

⁹ Resolution 39/46, annex.

¹⁰ Resolution 55/2.

expresses the readiness of the Ibero-American countries' Heads of State and Government to take steps to ensure respect and protection of the rights of migrant workers and their families, including primarily human rights, promote international cooperation in assisting refugees and ensuring their safe return, with dignity, to their countries of origin,

Welcoming the entry into force of the United Nations Convention against Transnational Organized Crime in 2003¹¹ and of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2003¹² and the Protocol against the Smuggling of Migrants by Land, Sea and Air in 2004,¹³ both of which supplement the Convention, and urging all countries to consider ratifying or acceding to these instruments,

Acknowledging the entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families in 2003¹⁴ and observing with satisfaction the continuous addition of further ratifications or accessions thereto,

Valuing the recent efforts and commitments made within the framework of the United Nations system and of other intergovernmental organizations with respect to international migration and development, as well as the consolidation of multilateral initiatives addressing these matters in Latin America and the Caribbean, such as the Regional Conference on Migration and the South American Conference on Migration,

Aware of the benefits that international migration may afford in terms of development, migrants themselves, their families, their host societies, their societies of origin and the enhancement of gender equity, as well as the asymmetries of benefits reaped by countries of origin and destination societies, with the latter being favoured by this process, given such factors as the beneficial effects that skilled migration has on their societies and economies,

Aware also that the great economic and social inequalities existing between and within countries, the marginalization of some nations from the world economy and high poverty rates help to generate large-scale migratory movements that increase the magnitude of the complex phenomenon of international migration,

Recognizing that initiatives for improving the position of migrants should include measures aimed at overcoming the poverty affecting millions of people in numerous countries and ensuring their access to education, health, food, work and social protection in accordance with the legal framework of each country,

Observing that many Latin Americans and Caribbeans and their families are faced with a situation of vulnerability with regard to the exercise of their rights,

Concerned by the increase in the trafficking of persons in all its forms, in particular for purposes of exploitation and sexual abuse and tourism,

¹¹ Resolution 55/25, annex I.

¹² Ibid., annex II.

¹³ Ibid., annex III.

¹⁴ Resolution 45/158, annex.

Bearing in mind that the central theme of the thirty-ninth session of the Commission on Population and Development will be international migration and development,¹⁵

1. Welcomes with satisfaction the report presented by the Latin American and Caribbean Demographic Centre - Population Division of the Commission to the Ad Hoc Committee on Population and Development at its meeting held during the thirty-first session of the Commission,¹⁶ and recommends the publication of the material on which that report is based so that it will be available for the High-level Dialogue on International Migration and Development that is to take place when the United Nations General Assembly meets in September 2006;

2. Is gratified by the efforts of national Governments, specialized agencies, funds and programmes of the United Nations and intergovernmental and non-governmental organizations to highlight the benefits afforded by international migration in terms of the development of societies of origin and of destination, and reiterates the need to recognize that respect for human rights of migrants should be at the core of any initiative aimed at taking advantage of those benefits;

3. Urges the Governments that have not yet done so to consider the possibility of signing and ratifying the legal instruments of the United Nations whose object is to promote and protect migrants' human rights as a mechanism for full social integration, and also invites Governments that have signed these instruments to ensure their full enforcement;

4. Calls upon Governments to define the trafficking of persons in any form as an offence, bearing in mind the growing frequency of trafficking for purposes of sexual exploitation and tourism, and to condemn and sanction all those responsible for this wrongful act, while providing protection to victims and making sure that the latter are not punished or prosecuted for entering or residing in the country illicitly;¹⁷

5. Encourages Governments to consider the possibility of engaging in international dialogues on migration and invites them to incorporate migration, particularly proposals for improving the situation of migrant workers, in bilateral accords and regional agreements;

6. Calls upon United Nations specialized agencies, funds and programmes and upon other international, intergovernmental, regional, subregional and national organizations to continue, within the framework of their respective mandates, to concern themselves with international migration and development while devoting special attention to the various aspects of migration, including the gender perspective, cultural diversity and unrestricted respect for human rights;

7. Requests the Executive Secretary to form an inter-agency group to be in charge of follow-up to issues relating to international migration and development in the region and of fostering coordination and coherence among the activities carried out in this field by specialized agencies, funds and programmes of the United Nations, the International Organization for Migration and other intergovernmental institutions;

8. Urges the Governments and international, intergovernmental and academic institutions to redouble their efforts to improve information and knowledge about the multiple aspects of international

¹⁵ Decision 2004/1, United Nations Commission on Population and Development, thirty-seventh session (E/2004/25).

¹⁶ LC/G.2303(SES.31/11).

¹⁷ (A/RES.59/166).

migration and notes that, in this context, the Commission should foster research on migration issues in areas in which more detailed data are required and that in-depth studies are useful in the case of recent Latin American migration to alternative destinations such as Japan, the United Kingdom of Great Britain and Northern Ireland and border regions within the continent and regarding the growing new wave of migration to Latin America by Europeans who choose to live at least part of the year in the region, which leads to new employment opportunities, investment and transport infrastructure;

9. Encourages States to further, in cooperation with international, intergovernmental and non-governmental organizations, information campaigns designed to explain the opportunities, limitations and rights entailed by migration so that migrants, particularly women migrants, may take informed decisions and avoid human trafficking and the smuggling of migrants;

10. Reaffirms the need to adopt measures aimed at reducing the costs for migrants of sending remittances and promoting safe means of transferring those funds and welcomes any progress in this regard;

11. Requests that Governments and stakeholders promote international, bilateral and multilateral agreements to ensure social protection for migrants and facilitate the transfer of pensions from one country to another in order to ensure adequate living conditions for them when they return to their countries of origin;

12. Urges States to incorporate the goal of family reunification into their laws in view of its positive effects in terms of immigrants' integration;

13. Welcomes commitments regarding international migration contained in the Declaration of Salamanca, adopted at the fifteenth Ibero-American Summit of Heads of State and Government, and the organization of an Ibero-American meeting on migration, to be held in July 2006 in Madrid, for their follow-up, and asks the Executive Secretary of the Commission to inform the Ibero-American Secretariat of the special interest of all its member countries in participating in that meeting and of the choice of migration for shared development as the central theme of the sixteenth Ibero-American Summit, to be held in October 2006 in Montevideo;

14. Instructs the Chairperson of the sessional Ad Hoc Committee on Population and Development to bring this resolution to the attention of the Commission on Population and Development at its thirty-ninth session, whose central theme is to be international migration and development;

15. Requests that the topic of international migration be again included in the next meeting of the Committee so that it may debate the events that have transpired up to that time and follow up on these issues.