



Republic of Bolivia
FIFTH SOUTH AMERICAN CONFERENCE
ON MIGRATION

La Paz, Bolivia
25 and 26 November 2004

LA PAZ DECLARATION

The representatives of the Governments of Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Paraguay, Peru, Uruguay and Venezuela, assembled at the Fifth South American Conference on Migration which took place in La Paz, Republic of Bolivia, on 25th and 26th November 2004, following up the process initiated at the South American Meeting on Migration, Integration and Development in Lima, Peru, on July 1999 and continued by the First, Second, Third and Fourth South American Conferences on Migration (SCM) held in Buenos Aires in May 2000, Santiago de Chile, in April 2001, Quito in August 2002 and Montevideo in November 2003, respectively, and having heard the exchange of statements and information about the situation of migration in South America, conducted on the basis of the restructured Plan of Action, adopt the following Final Declaration, called La Paz Declaration:

CONSIDERING:

1. The South American States' commitment to fully respect the international instruments on human rights, the Declaration and Convention against Transnational Organized Crime, as well as the two Protocols on Illegal Trafficking and Smuggling of Human Beings and the necessary incorporation of such instruments into the national legislation of every State in the Region.
2. The importance of the International Convention on the Protection of the Rights of all Migrant Workers and their Families.
3. That the migratory process is a fundamental part of the historical reality of Latin American countries which, sharing a common culture and history, are characterized by continuous migratory movements from and to diverse States. In this sense, they recognize the contribution of migrants both to the creation of South American countries and States and the development of other regions at the cultural, social, intellectual and economic level.
4. The South American countries' political will to lay the bases of regional migration management, sustained by the need for the approval of common practices that pave the way for migration governability.
5. The value of processes and/or agreements adopted in the field of migration, in the belief that the migration phenomenon calls for bilateral or multilateral treatment from a multidisciplinary perspective.



6. That from the perspective of migration governability it is important to adopt, institutionalize, harmonize and consolidate policies and programmes to ensure the linking with nationals living abroad.
7. The recommendations of seminars and workshops held in compliance with the SCM mandate, which have focused on the linking with nationals living abroad, the statistics of international migration movements and education for migration.
8. The proposal for the restructuring of the Plan of Action on international migration in South America, the reorganization stage as well as the progress made in the CSM and deliberations of the Fifth Conference:

DECLARE:

First: To reaffirm that the migration policies of countries participating in the SCM are inspired by the human rights of migrants.

Second: The South American Forum on Migration approves the restructuring of the Plan of Action of the Third Conference (Quito 2002) on the basis of three strategic axes identified in the Fourth Conference (Montevideo 2003) and the updating and/or modification of the objectives, aims and activities agreed upon by the representatives of Member States.

Third: To urge Member States to send to the Pro Tempore Chair, before the end of the present year, a progress report on actions required by the Plan of Action at national, bilateral and/or regional level.

Fourth: To highlight the importance of addressing South American migration issues through mechanisms of multilateral dialogue.

Fifth: To support the holding of training and instruction activities for officials, professionals, technicians and members of the Civil Society who work in areas dealing with migrants, underscoring the importance that the educational curricula should include programmes helping to adopt the culture of welcoming migrants in countries of the region.

Sixth: To reaffirm the Member States' pledge to ensure migrants the full respect for human rights established by the different International Conventions in effect.

Seventh: To call for a fair and humanitarian treatment of emigrants from our region on the side of extra-bloc countries, tallying with the treatment given to their nationals in our territories.



Eighth: To consider the family reunion as a right of migrants and a fundamental element for better integration into the receiving society.

Ninth: To readily observe agreements and initiatives underway, seeking to facilitate and regularize the migratory flows among countries in the region and to urge member States to reinforce such agreements and initiatives.

Tenth: To reaffirm the commitment to fight against the illegal trafficking and smuggling of human beings, the trafficking of children and other ways of transnational crime, recommending the adhesion to and/or ratification of the United Nations Convention against Transnational Organized Crime and complementary Protocols. Moreover, to recommend that the typifications of such offenses be included in the respective penal legislations.

Eleventh: The SCM reiterates the validity of and respect for norms foreseen in the 1951 Convention and the 1967 Protocol on the Statute of Refugees as well as the human right norms and standards complementing the protection of asylum-seekers and refugees. Especially, it reiterates the validity of the principle of non-refoulement and the need for providing training and instruction to governmental officials dealing with migration issues related to the International Refugee Law.

Twelfth: The Conference welcomes the Mexico Declaration and Plan of Action strengthening the international protection of refugees in Latin America, adopted in the city of Mexico on 16th November of the present year, within the framework of celebrations of the Twentieth Anniversary of the Cartagena Declaration.

Thirteenth: It entrusts the following duties to the Technical Meeting:

- To make headway with discussions on and the preparation of a proposal to reorganize the CSM structure on the basis of the work document submitted to the present Conference by the Technical Secretariat.
- To debate and propose a text for the Declaration of Migration Principles establishing a common position and stating the South American countries' stance on migration.
- To analyze the proposals for the institutionalization of the South American Forum on Migration submitted by the enlarged MERCOSUR and CAN, and seek the necessary agreement for submission to the SCM through a specific Sub Commission of the Technical Meeting.

Fourteenth: It requests the Council of the International Organization for Migration-IOM, through the Latin American Group –GRULAC/IOM-, to include an annual budget to finance and guarantee the functioning of the Technical Secretariat's activities.

Fifteenth: It authorizes the Pro tempore Chair of the Conference to raise, through the Technical Secretariat (IOM), financial resources from donors for SCM specific objectives and concrete actions.



Sixteenth: It requests the Pro Tempore Chair to convey to the Third Meeting of South American Presidents, to be held in Peru in December 2004, the recommendations emanating from the present Conference, singling out the importance and priority of the issue of protection of and respect for the human rights of migrants and their families, within the framework of jointly formulated policies and action plans.

Seventeenth: It recognizes migration regularization as a fundamental element of public policies in the migration field, fostering the facilitation of the regularization process.

Eighteenth: For the sake of migration governability, the importance of creating or consolidating policies and programmes seeking permanent and increasing work lines with nationals living abroad, underscoring the fact that the linking with emigrants is a part of migration management.

Nineteenth: To seek mechanisms to make headway with agreements that facilitate the channeling of savings for the social welfare of immigrants, generating efficient systems for remittances and homologating the welfare system. Furthermore, to respect the labour, education, health, welfare rights and other social rights of migrants.

Twentieth: To reaffirm that the insertion of migrants into the receiving society is a SCM objective, encouraging educational programmes that contribute to the adoption of the culture of welcoming migrants in countries in the region.

Twenty-first: To ensure the development of facilities for across-border movements without neglecting migration control and security.

Twenty-second: To highlight the role of the South American Forum on International Migration in the generation of significant information for migration governability and management, as well as the training and instruction of public actors and the Civil Society.

Twenty-third: To recognize the South American Forum on Migration as a regional entity for the coordination of regional strategies tending to the achievement of international migration governability.

Twenty-fourth: To highlight the excellent performance of the outgoing Pro Tempore Chair in charge of the Oriental Republic of Uruguay.

Twenty-fifth: The Conference acknowledges and accepts the offer made by the Republic of Paraguay to host the Sixth South American Conference, to be organized in 2005, date and venue to be confirmed through the Pro Tempore Chair.



Twenty-sixth: It thanks the offer made by the Republic of Chile to host the next Technical Meeting, to take place in the city of Santiago de Chile in the middle of 2005.

Twenty-seventh: It thanks the Technical Secretariat team for its valuable and permanent cooperation and support in the preparation and development of the SCM sessions.

Twenty-eighth: It highlights the stimulating participation and contribution of Observers and Representatives of International Organizations and the Civil Society.

Twenty-ninth: It thanks the Republic of Bolivia for the excellent organization and carrying out of the Fifth South American Conference, as well as the hospitality offered to the participating delegations.

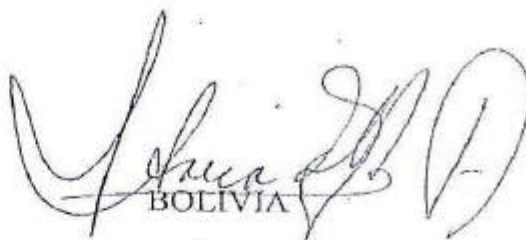
La Paz, Bolivia, 26 November 2004.



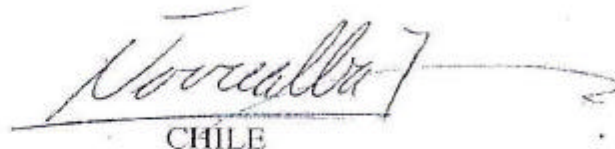
ANNEX I

SIGNATURES OF THE DELEGATES OF SOUTH AMERICAN COUNTRIES THAT PARTICIPATED IN THE FIFTH SOUTH AMERICAN CONFERENCE ON MIGRATION

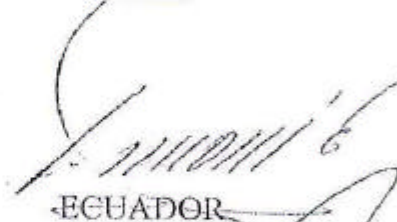

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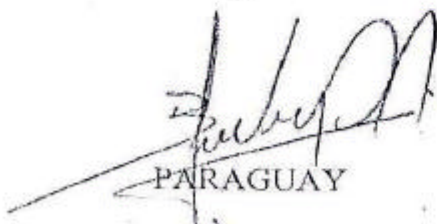

BOLIVIA

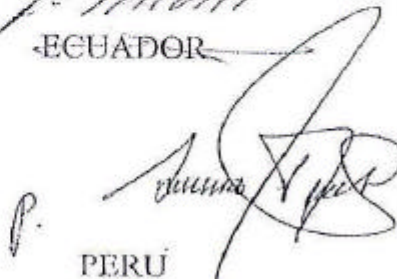

BRASIL


CHILE


COLOMBIA


ECUADOR


PARAGUAY


PERU


URUGUAY


VENEZUELA