

Human Rights and Migration

Thursday May 10th



Principal Points of Agreement and Recurring Themes:

- Human Rights are universal. They are applicable to all human beings regardless of sex, country of origin, race, etc. States have the responsibility to respect, protect and provide these rights.
- Migration, particularly irregular migration is in part caused by the violation of social and economic rights.
- Migrants who pass through various countries before reaching their final destination are some of the most vulnerable migrants. While in transit they cannot vote, they cannot organize, and they cannot send remittances back. They are an invisible population who faces violations from governments, organized crime and others.
- The most frequent violations are made against health and labor rights.
- Border militarization has resulted in an increase in rights violations. September 11 only worsened security concerns at the borders.
- Many migrants experience a type of double discrimination. One for being migrants and two for being part of another group that faces discrimination, such as homosexuals, indigenous, etc.
- Currently in many cities throughout the U.S., legislations are being proposed that discriminate against migrants.
- In the dynamics of migration, there needs to be an emphasis on women migrants and the impact that this causes in the home countries. Many times these migrants face sexual abuse.
- Language is an important topic for migrants. Not allowing migrants to speak their native language is a human rights violation.
- The importance of having the right to vote in the country of residency so that migrants can influence and change the policies that are discriminating and violating the rights of migrants.

Points of Disagreement:

- We should not only focus on migrants to make changes possible. We need to organize people back in the home countries so that they too can change the situation.

Measures Proposed:

(They are attached to the declaration that members of the panel put together)

Human Rights, Migration and Development

Within the framework established in the 1st Latin American Community Migrant Summit, the theme of migrant's Human Rights echoed throughout the various workshops and panel discussions. In the conclusions of this Summit, we must include human rights as a fundamental piece in the migration discussions. Moreover, the following points must be clear:

1. Human Rights are universal. They belong to all human beings without distinction, particularly without regard to their migration status.
2. These are inalienable rights, crossing borders does not take them away.
3. States must respect, promote, and protect the rights of all human beings in their territory.

Within the international and regional conventions and declarations to which States have agreed on since 1948—year in which the Declaration of the Americas on the rights and Duties of Men and the Universal Declaration of Human Rights were ratified— and including the 1990 Declaration on the Rights of the Migrant Worker and their Families, these points must be mentioned:

1. The State has the obligation to protect and promote a progressive form of development for individuals and their communities. Using all resources available.
2. The right not to migrate by force
3. Children's right to live with their parents
4. The right to migrate
5. The State has the obligation to protect the security and dignity of the migrants, refugees and asylum seekers that are in their territories
6. The State has the obligation to protect the social guarantees and labor rights of all workers
7. The State has the obligation to respect the cultural diversity and guarantee no discrimination

Finally, it is essential that the Summit encourages migration policies to include Human Rights as a fundamental principal and not only focus on market forces and security concerns.

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