

**REPORT OF THE POPULATION DIVISION OF ECLAC AND
CELADE ON THE PREPARATION OF A HIGH-LEVEL DIALOGUE
ON INTERNATIONAL MIGRATION AND DEVELOPEMNT**

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In compliance with the mandate received from the countries of the region, the Economic Commission for Latin America and the Caribbean (ECLAC), through its Population Division, the Latin American and Caribbean Demographic Centre (CELADE), has continued to provide technical cooperation to ensure that national development efforts address the issue of international migration. In that regard, CELADE has pursued its on-going activity of disseminating widely the census information on migration derived from its data bank, *Investigation of International Migration in Latin America* (IMILA). Thanks to the availability of microdata from the 2000 round of censuses, which most countries have transmitted to CELADE, it has been possible to update the analysis of migration patterns and trends and to conduct various studies, as well as to make policy proposals. The studies carried out in the region during the last two years have focused, among other issues, on the migration of skilled human resources, the participation of women in the region in migration processes (a study which explores gender dimensions) and the description of migrants in subregional integration blocks.

ECLAC is promoting an interdivisional effort to examine various aspects of migrants' remittances as a follow-up to studies carried out in Central America in the 1990s, which revealed for the first time the remittance channels, their uses and effects on household income. In particular, information from household surveys carried out around 2000 is being used to evaluate the impact of remittances on poverty as part of the chapters of the *Social Panorama of Latin America 2004-2005* and this impact will be taken into consideration in designing poverty-reduction strategies.

Since the last quarter of 2003, CELADE has participated actively in many intergovernmental and expert meetings on international migration at the regional level and at the national level in different countries. At these events, the Division presented the results of its studies and provided substantive support in addressing various issues including social security and the portability of pension funds for migrants; the human rights situation and international instruments geared to protect the rights of migrants; migration of skilled human resources and linkages with emigrants; the improvement of migration statistics and the prospects for establishing an information system on South America. In addition, CELADE provided technical support to the Governments of Brazil, Chile, Nicaragua and Paraguay in the definition of their policy initiatives on migration, especially in the areas of remittances and poverty, and strategies for linkages with emigrants; it also collaborated in meetings convened to draw up guidelines for national policies on migration. This technical assistance to governments was carried out in collaboration with the United Nations Population Fund (UNFPA), the Inter-American Development Bank (IDB) and the International Organization for Migration (IOM). At the academic level, CELADE participated actively in plenary meetings and working groups on migration at the first Congress of the Latin American and Caribbean Population Association held in Brazil in 2004.

Special mention should be made of the Division's regular participation in the meetings of two intergovernmental fora on migration in the region, i.e. the Regional Conference on Migration (Puebla Process) and the South American Conference on Migration. It has participated actively since the establishment of those entities and, in this way, has been able to contribute to dialogues and cooperation among countries as well as to carry out specific activities contemplated in the respective plans of action (migration information systems in Central America, workshops for analysis and discussion of statistics).

In 2004, CELADE took part in meetings with high representatives of the Global Commission on International Migration (GCIM), set up with the encouragement of the Secretary General of the United Nations in December 2003, providing background information on the regional vision and specific international migration trends. It also participated in the regional meeting on the Berne Initiative, convened by the Government of Switzerland and IOM in September, which brought together countries of Latin America and the Caribbean. In the same vein, and in close collaboration with the International Labour Organization (ILO), CELADE prepared technical material for the International Labour Conference in June 2004, which dealt with labour migration.

It is interesting to note that at the Ad Hoc Committee on Population and Development, held during the thirtieth session of ECLAC in San Juan, Puerto Rico, from 28 June to 2 July 2004, Member States commissioned CELADE to prepare a document on “Migration, Human Rights and Development” for presentation at the next meeting of the Ad Hoc Committee at its thirty-first session. This attests to the importance that Member States attach to the issue of international migration. The relevant mandate is contained in Resolution 604 (XXX). In response to this mandate, CELADE has formed a special working unit on population, equity and human rights.

A. ISSUES TO BE CONSIDERED AT THE HIGH-LEVEL DIALOGUE ON INTERNATIONAL MIGRATION

The above-mentioned activities in Latin America and the Caribbean show the increasing political relevance that international migration has assumed in national agendas of countries, although it must be recognized that the approaches developed are still only partial and relate to concerns that are difficult to address and resolve. Nevertheless, it is essential to identify areas in which the countries of the region can adopt best practices while establishing negotiations with the main receiving countries. The intergovernmental fora and the process of the Summit of the Americas have already given rise to important initiatives, which should be maintained. In the same way, the achievements of the successive meetings of those fora and the potential of the GCIM and the Berne Initiative should be carefully assessed.

At different intergovernmental meetings, national delegates have recognized that the countries of the region have ceased to be recipients of migrants from overseas and have become a source of migrants to destinations outside of the region. Even though the main destination of these emigration flows is the United States, observers are aware of an increasingly large movement towards destinations in Europe, primarily Spain. Along with this recognition, Member States have expressed concern at the risks of infringement of human rights to which many migrants are exposed; such risks arise during the journey to the foreign country—in their most acute form, the very survival of the migrants is at stake—as well as in their participation in the labour force and integration in destination societies where their illegal status makes them more vulnerable to discrimination.

The upsurge in emigration flows from the region, together with the intense migration movements within the region, has prompted governments to seek joint actions. In that regard, the effective adoption of the principles of shared responsibility is expected to contribute to multilateral dialogue. In addition, the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families underscores the need to standardize legislation in this area. Indeed, eight of the 27 States having ratified this Convention to date are from Latin America and the Caribbean, namely, Belize, Bolivia, Colombia, Ecuador, El Salvador, Guatemala, Mexico and Uruguay.

Furthermore, it should be noted that migrants’ remittances have a strategic macroeconomic impact; they are the principal source of foreign exchange in various countries and, at the regional level, they account for larger inflows than foreign direct investment. Even though transfer costs have declined gradually, there has been little progress in implementing initiatives for promoting the use of remittances in productive projects or including them in social programmes for poverty reduction. Hence, there have been the needs to develop research, exchange experiences and assess the impacts of remittances on well-being.

The loss of valuable human resources through emigration continues to be an issue of concern. This concern stems from the lack of opportunity for upward mobility of skilled workers and the lack of initiatives for strengthening their ties within their country of origin. It is highly probable that the relatively low wages and underutilization of professional and technical workers in the region will result in higher outflows of the group, which, while it has increased substantially in recent years, continues to be relatively limited. Moreover, the countries in the region have not succeeded in obtaining advantages under the General Agreement on Trade in Services, since this instrument establishes negotiations on a case-by-case basis and subordinates them to quantitative restrictions and qualitative limitations, which exclude access to the national market and which are expressed in the establishment of quotas and groups of specialities for the purpose of granting work permits. This multilateral Agreement, which entered into force in 1996 starting with the Uruguay Round, makes the mobility of persons subordinate to the provision of services and does not apply to entry into the labour market, or to rights of citizenship and residence; essentially, it only seeks to promote the turnover of skilled personnel within firms.

The following issues have received less attention, but are clearly important, given the information available: the participation of women and, in particular, the broad issue of the potential of migration as a means of attaining a higher degree of gender equity, which serves to defeat the theory of the “invisibility” of women migrants; the development of migration policies, especially from a subregional viewpoint, which considers the framework for integration agreements; research into the incidence of trafficking in persons and the definition of that crime in national legislations, for which the ratification of protocols to the United Nations Convention against Transnational Organized Crime is the most appropriate framework.

B. CONTRIBUTION OF THE ORGANIZATION TO AN UNDERSTANDING OF INTERNATIONAL MIGRATION

Within the context of Latin America and the Caribbean, the migration issues of highest priority are those identified in the foregoing section. Without prejudice to those issues, the region has a framework of agreements, embodied in the Plan of Action adopted at the Second Summit of the Americas in 1998, which constitute a basic consensus for common action among the participating States:

“Strengthen cooperation among states to address, with a comprehensive, objective and long-term focus, the manifestations, origins and effects of migration in the region;

Promote recognition of the value of close cooperation among countries of origin, transit and destination in order to ensure protection of the human rights of migrants;

Establish an inter-American programme within the OAS for the promotion and protection of the human rights of migrants, including migrant workers and their families, taking into account the activities of the Inter-American Commission on Human Rights (IACHR) and supporting the work of the IACHR Special Rapporteur on Migrant Workers and the United Nations Special Rapporteur on Migration;

Commit to undertake the widest possible cooperation and exchange of information among states concerning illegal trafficking networks, including developing preventative campaigns on the dangers and risks faced by migrants, particularly women and children who often can be victims of such trafficking, with a view to eradicating this crime;

Establish linkages with subregional processes, such as the Regional Conference on Migration and the South American Conference on Migration, which are dialogue fora, in order to exchange information on the migration phenomenon, as well as promote cooperation with specialized

international organizations, such as the International Organization for Migration (IOM), in order to advance and coordinate implementation efforts of Summit mandates;”

The foregoing suggests that there is a platform for the Latin American and Caribbean agenda on international migration, although further efforts are necessary to implement it fully and widen its scope. Generally speaking, it should be understood that the pursuit of multilateral agreements stems from a common aspiration: that of agreeing on the establishment of mechanisms for shared governance of international migration.

In this regard, existing multilateral fora should be used and duplication of efforts should be avoided. It is within these mechanisms that authorities should provide the means whereby binding decisions are progressively adopted to deal with intraregional migration. It should be noted that inter-governmental fora have welcomed the formation of economic integration groups –within which initiatives have been outlined and tested for the free circulation and protection of migrants- as demonstrated by the agreements adopted under the Central American Integration System (SICA), the Caribbean Community (CARICOM), the Andean Community (CAN) and the Southern Common Market (MERCOSUR).

Within these groups, where patterns of international migration specific to the subregion emerge, requests of Latin American and Caribbean countries can be coordinated and presented jointly to the receiving countries in the areas of human rights, remittances, migration of skilled human resources or gender equity. These subregional groups can also commit themselves to combating in a decisive way the practices of smuggling and trafficking in persons, which constitute objective threats to national security.