

**15th Model of the Permanent Council
for OAS Interns – 15th MOAS/PC
April 4-5, 2013**

FINAL RESOLUTIONS



**MOAS PROGRAM COORDINATION
OFFICE OF THE ASSISTANT SECRETARY GENERAL**

**“STRATEGIC PARTNERSHIPS TO ADDRESS
MIGRATION IN THE AMERICAS”**

THE MOAS/PC GENERAL ASSEMBLY,

TAKING INTO ACCOUNT AG/RES.1948 (XXXIII-O/03) “Fighting the Crime of Trafficking in Persons, especially Women, Adolescents, and Children”, instructing the General Secretariat of the OAS to facilitate information exchange and assist the Member States in preventing and fighting this threat;

ENDORSING the “Work Plan against Trafficking in Persons in the Western Hemisphere 2010-2014”, adopted at the meeting of the Committee on Hemispheric Security held on April 29, 2010, as requested by the OAS Member States based on their commitment to improve their capacity to prevent trafficking in persons and forced labor, to protect the victims and punish the perpetrators of the crime;

ACKNOWLEDGING Resolution AG/RES. 2729 (XLII-O/12) “The Human Rights of Migrants, Including Migrant Workers and their Families”, which addresses the issue of criminalization of migrants, forced labor and human trafficking;

RECOGNIZING the efforts of the Organization of American States in topics related to migration, as per resolution AG/RES 2738 (XLII-O/12) “Strengthening the topic of Migration in the OAS: Establishment of the Committee on Migration Issues,” which established a Committee on Migratory Issues (CAM) within the framework of the Inter-American Council for Integral Development (CIDI) which highlights the importance of dialogue, exchanges of good practices, and the implementation of international, regional, sub-regional, and bilateral cooperation initiatives on the issue of migration and the contribution made by migration to the Hemisphere’s integral development;

ACKNOWLEDGING the constant migrant flow, the brain drainage that several OAS Member States have experienced over the last decades which intensifies the inequality in income, welfare and opportunities for progress and, therefore, are factors for abandoning their countries attracted by the opportunities of another, as found during the OAS workshop ‘Migrant Workers: Protection of labor rights and labor market programs, held in November 2006, in Ottawa, Canada;

CONSIDERING that the values contained in the Declaration of Fundamental Principles and Rights at Work of the International Labor Organization, the Social Charter of the Americas, and the Inter-American Democratic Charter are interdependent and are mutually reinforcing in that the observance of economic, social, and cultural rights are inherently linked to integral development, equitable economic growth, and to the consolidation of democracy;

RECOGNIZING the existence and the achievements of the different sub-regional migration process systems, such as: Conferencia Regional de Migraciones, Foro Especializado Migratorio, Foro Andino de Migraciones, Conferencia Sudamericana de Migraciones, CA4, and

the North American Agreement on Labor Cooperation (NAALC), to expand the contribution made by migration to the Hemisphere's integral development; and

RECOGNIZING the need to strengthen the national migration policies to make sure they take account of and are consistent with regional and sub-regional processes on migration and the respect of human rights¹,

RESOLVES:

1. To promote the creation of:

- a) A system for the effective registration of victims of human trafficking and forced labor, and specialized offices for their support, implementing multidisciplinary professional groups able to accompany the victims throughout the different processes, and of promoting capacity building and training of State agents, civil society and organizations in direct contact with migrants to provide a dignified treatment of the victims.
- b) Programs that support advocacy groups and provide legal aid for victims of human trafficking and forced labor to guarantee that they are able to activate the legal and administrative mechanisms to obtain justice and reparations.
- c) Regional cooperation programs that ensure the safe return of victims of forced labor and their families to their home countries through consular assistance and guarantee family reunification.
- d) Social awareness campaigns in the Member States, focused on shifting the paradigm of migration as a criminal conduct and inviting civil society to denounce cases related to human trafficking, forced labor and breaches in border security.

2. To encourage the establishment of a larger presence of trained public officers and border control officials for an early and effective detection of human trafficking, forced labor and breaches in border security. Furthermore, to promote the legislative framework, administrative and judicial controls to provide an effective remedy to address such issues².

3.³ To encourage the Member States to promote the rights of migrants, and prevent the establishment of detention or other punitive sanctions for these conducts. To encourage the Member States with existing programs for regularization of migrants to share their best practices and policies with other Member States. (Annual meetings should be scheduled to follow up on the effectiveness of these measures.)

¹ United States.

² Not approved by the United States.

³ Not approved by the United States. ‘‘ To encourage the Member States to promote the rights of irregular migrants, and prevent the establishment of detention or other punitive sanctions for these conducts.’’

4.⁴ To establish a student exchange program between Member States to promote mutual cooperation, to promote migration for educational purposes and to nurture the process of knowledge transfer between countries. The program will be funded by Member States' donations and a Cooperation Fund through strategic alliances with public and private sector institutions, in an effort to consolidate and deepen the cooperation necessary to advance poverty reduction and equality throughout the hemisphere, a pillar of the OAS.

5. To encourage Member States to develop programs that address human capital flight problems in the hemisphere by promoting student exchange, fellowship programs and networking with citizens abroad, giving priority to candidates from countries with the lowest levels of human development index.⁵

6. To promote respect of the citizens of the Member States of the OAS by encouraging countries to create campaigns of awareness on the positive effects of organized migration for economic and social development.

7. To request the Development and Migration Program (MIDE) to perform an annual study of the current sub-regional migration systems in the Americas, so that all the Members States may learn about the current state of affairs.

8. To encourage that in the framework of the Committee of Migration Issues (CAM), each sub-regional Migration structure present a plan of action to strengthen its own institutional capacities.

9. To Request to the Committee on Migration Issues (CAM) to organize an annual meeting to present the results of each plan of action mentioned in the previous resolve.

⁴ Not approved by Mexico.

**“Strengthening the Topic of Education of Migrant Children and Youth in the OAS:
Establishment of the Research Observatory on Education for Migrant Children and Youth
in the hemisphere and the development of The Inter-American Program on protecting the
Education of Migrant Children and Youth in the hemisphere”**

THE MOAS/PC GENERAL ASSEMBLY,

TAKING INTO ACCOUNT:

The Charter of the Organization of American States (OAS), where the member states reaffirm that the education of the people should be directed toward justice, freedom, and peace, and pledge to give primary importance within their development plans to the encouragement of education oriented toward the overall improvement of the individual, and as a foundation for democracy, social justice, and progress,

That 2013 marks the 12th anniversary of the adoption of the Inter-American Democratic Charter, which states that education is key to strengthening democratic institutions, promoting the development of human potential, alleviating poverty, and fostering greater understanding among peoples; and that it is essential that a quality education be available to all, including girls and women, rural inhabitants, and other vulnerable groups,

That in today’s globalized geo-political context, the reality of the education of migrant children and youth must be addressed. Thus, in the spirit of international, regional, bilateral cooperation, and to further preserve the dedication to human rights of the OAS; the countries of the region are obliged to regulate the immigration of persons entering their territories, in accordance with international law;

RECALLING that access to education for children and youth at the elementary and secondary levels is a human right that needs to be protected and promoted;⁶

RECALLING that chapter 3, article 16 of the Inter-American Democratic Charter establishes that education is key to strengthening democratic institutions, promoting the development of human potential, and alleviating poverty and fostering greater understanding among the people

NOTING that Article 34 h) of the OAS Charter states that Member States agree to devote their utmost efforts to accomplish rapid eradication of illiteracy and expansion of educational opportunities for all,

CONSIDERING, the special needs of migrant children and youth in this hemisphere,

CONSIDERING, that access to accurate quantitative and qualitative data regarding education for migrant children and youth needs to be available throughout the hemisphere in order to ensure the best educational opportunities for migrant children and youth

⁶ The United States of America has not ratified the Inter American Convention on Human Rights.

RECOGNIZING the origin of this problem stems from various cultural and financial barriers, along with a general lack of information about the access and quality of education of migrant children and youth in the Americas

AIMING to promote access to inclusive education and increase its quality for migrant children and youth

RECALLING That the Inter-American Program on Education for Democratic Values and Practices, was adopted at the Fourth Meeting of Ministers of Education within the framework of the Inter-American Council for Integral Development (CIDI), to promote a culture of democracy and non-violence through formal and non-formal education in the Hemisphere, and that the implementation of that Program will continue to be guided, as provided for therein, by an Advisory Group composed of education officials, academics, and civil society experts, as well as other appropriate interested parties;

RESOLVES,

1. To create a Research Observatory specializing in the matter of the educational needs of migrant children and youth in the Hemisphere. The research observatory will serve as a body to conduct research concerning the educational situation of migrant children and youth in the Hemisphere, and to provide further assistance on the matter to individual countries based upon the changing needs of said migrant children and youth. The research observatory will be based in the Department of Education and Culture within the GS-OAS.

2. To promote the Social Charter of the Americas and dialogue among governments, migration authorities, international organizations and civil society to share best practices concerning education for migrant children and youth. The research observatory will serve as facilitator in the discussion over national policies with regards to the specific needs of migrant children and youth. This exchange of experiences and information will benefit the migrant children and youth due to the increased involvement of the Inter-American community, thus, providing greater awareness in the implementation of policies with regard to education.⁷

3. To instruct the General Secretariat of the OAS to propose to the Ministers of Education of the Member States, during the annual meeting of Inter-American Committee on Education with the Department of Education and Culture of the OAS, to utilize the Research Observatory on Migrant Children and Youth, to train educators selected by the Member Countries in order to address the unique circumstances of the education needs of their migrant children and youth.

4. To utilize the Research Observatory's database on children and youth migration in the Americas, with the objective to identify the needs of the Member States. And to train the country representatives to address these needs. Based on this information, the Department of Education and Culture will consult with experts in its network to train the country representatives.

⁷ The United States of America disagree to mention the Social Charter of the Americas.

5. To recommend the beneficiaries of this program from the Member States, to complete the training on the education of migrant children and youth, to return to their countries, and to work with the Ministry of Education to utilize the acquired knowledge.

6. To request individuals, entrepreneurs, national and international organizations, whether public or private, including universities, to cooperate, develop and finance the activities of the Research Observatory and the Inter-American Program, contributing to a Trust Fund, which coupled with the voluntary contributions of Member States, and Permanent Observers, would serve to finance the mandates to be implemented.