

(free translation)

**STATEMENT BY THE GENERAL ASSEMBLY AND BY THE GOVERNING COUNCIL OF
THE IBERO-AMERICAN FEDERATION OF OMBUDSMEN
ON MIGRATORY MEASURES BY THE GOVERNMENT OF THE UNITED STATES OF
AMERICA THAT MAY AFFECT THE HUMAN RIGHTS OF
IBERO-AMERICANS' NATIONALS LIVING IN THAT COUNTRY**

The General Assembly of the Ibero-American Federation of Ombudsmen, which brings together Ombudsmen, *Defensores del Pueblo*, Mediators, Commissions, Councils and other public bodies dedicated to the protection and promotion of human rights in Ibero-American countries at the national, state, regional, provincial and local levels, is gravely concerned with the human rights of migrants from the region,

Whereas:

- One of the purposes of FIO is to promote, to develop and to strengthen the culture of human rights in its member States and to join efforts towards the consolidation of the Ombudsman institution, the rule of law, democracy and the peaceful coexistence of peoples;
- The attributions of FIO comprise issuing declarations and other public statements whenever deemed necessary to the effectively pursue its goals and purposes;
- There is a strong possibility that immigration policies in the United States of America may change, therefore affecting the lives of Ibero-American migrants living in that country;
- Governments must respect the human rights of every person, including migrants, and shall provide for the establishment of mechanisms and other channels that guarantee the enforcement of such rights.

The FIO expresses its conviction in respect of

- the need to launch a common framework ensuring the recognition and the protection of the human rights of migrants and at the same time promoting an effective and multidimensional management of migration flows;

- the fact that immigration policies of today involve a shared responsibility in managing the displacement of refugees and migrants in a humanitarian and respectful manner, centered upon human dignity;

For this reason, on 19th September 2016, the General Assembly of the United Nations adopted the New York Declaration on Refugees and Migrants, which establishes that migratory policies and procedures must respect the principles of equality and non-discrimination, pursue the best interest of children and adolescents, and also guarantee all persons the right to prior hearing and to due process.

STATEMENT

The Ibero-American Federation of Ombudsmen urges all members to address the causes of migration in their countries and to create an environment of security, equality and well-being in order to prevent nationals from being forced to migrate to other countries in search of better life standards, which constitutes itself a violation of human rights.

The support and protection that States whose independent human rights institutions are members of FIO must to provide to their nationals should firstly be provided through embassies and consulates.

The activity of Ombudsmen, *Defensores del Pueblo*, Mediators, Commissions, Councils and other public bodies members of FIO assumes special relevance when it comes to migration since it constitutes an appropriate and alternate way to protect and to promote the rights of migrants in the American Union.

It is paramount to act decisively in the development of migration public policies that ensure coordination between diplomatic representations, prevent migrants from being victims of arbitrariness and remedy possible damages to the integrity, property and interests of migrants.

In view of the above, FIO respectfully urges the Ministries and Government Departments in charge of Foreign Affairs to strengthen their human and material resources so that they are able to provide support and assistance to migrants in the United States of America.



FIO welcomes the development and implementation of an action plan aimed at the protection of the rights of migrants in the event there is a change of the migration policies in the United States of America.

The FIO expresses its concern and rejection of any action that seeks to undermine the dignity and the rights of migrants, while reaffirming its conviction that any difference must be resolved in a context of dialogue and respect for institutions and rights humans.

Taking into consideration the report "Human Rights of Migrants, Refugees, Stateless Persons, Trafficked Persons and Internally Displaced Persons: Norms and Standards of the Inter-American Human Rights System" published on 4th November 2016 by the Inter-American Commission on Human Rights, FIO respectfully appeals to the intervention and good offices of the Inter-American Commission in order to ensure that such standards are observed by the immigration authorities of the United States of America and that Ibero-American migrants will effectively enjoy their rights in that country.

Lastly, FIO addresses to the United Nations High Commissioner for Human Right, to the United Nations High Commissioner for Refugees, to the International Committee of the Red Cross and to the International Organization for Migration (IOM) a request that, within the scope of their mandate, these institutions will monitor full respect for the rights of Ibero-American migrants in the United States of America.

Signed on 24 November 2016, in Santa Cruz de Tenerife, Spain.