



Organization of American States Permanent Council

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OEA/Ser.G
CP/RES. 938
(1654/08)
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OAS ACTION ON THE EUROPEAN UNION'S RETURNS DIRECTIVE ON MIGRATION ISSUES

(Approved by the Permanent Council at its meeting of June 26,
2008)

THE PERMANENT COUNCIL OF THE ORGANIZATION OF
AMERICAN STATES,

RECOGNIZING that international migration flows take on new importance for our region in the globalization process; and taking into account that, in the history of our region, large human migrations, especially from Europe, have been welcomed and received with solidarity, and that these migration flows have contributed to the economic and cultural development of the region;

REAFFIRMING that all countries have a sovereign right to determine and enforce their own immigration policies, and underscoring our commitment to ensure that migration takes place in a safe, legal, and humane manner, consistent with applicable international law;

EXPRESSING CONCERN about legislation and measures adopted by some states that may restrict the human rights and fundamental freedoms of migrants; and reaffirming that, when

exercising their sovereign right to enact and implement migratory and border-security measures, states have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the human rights of migrants;

RECALLING the adoption of resolutions AG/RES. 2289 (XXXVII-O/07) and AG/RES. 2356 (XXXVIII-O/08) of the General Assembly of the OAS, and AG/RES. 2141 (XXXV-O/05), which adopts the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, including Migrant Workers and their Families;

REAFFIRMING the progress represented by the bi-regional agreements recently concluded at the Fifth Summit of Heads of State and Government of Latin America and the Caribbean and the European Union, held in Lima, Peru, on May 16, 2008, and the joint communiqué of the Andean Community and the European Union Troika, on the need to establish an integrated, comprehensive dialogue on migration; and

TAKING INTO ACCOUNT the adoption by the European Parliament and Council of the Returns Directive, on June 18, 2008; and taking note of the pronouncements made by various OAS member states, and some international organizations and regional mechanisms on this matter,

RESOLVES:

1. To instruct the OAS Secretary General to accompany a high-level mission of OAS Member States to the European Union to learn first-hand and to discuss the implications of the Return Directive and to seek practical solutions through dialogue to the concerns raised by some member states regarding said Directive.
2. To request the Secretary General to report to the Permanent Council on the outcome of the above action.