

Rio de Janeiro Declaration on the Institution of Refuge

The Ministries of Interior of Mercosur, Bolivia and Chile concerned that international protection should be given to individuals persecuted for reasons of race, nationality, religion, membership of a particular social group, political opinion or victims of serious and generalised violation of human rights, assembled under the framework of the “VIII Meeting of the Ministries of Interior of MERCOSUR”:

- Recognising that problems of racism, xenophobia and political intolerance have created refugee flows in the world,
- Recognising that people escaping situations of persecution and conflict represent a different category from those that emigrate due to economic or personal reasons,
- Considering the universal right to seek refuge, consecrated in article 14 of the Universal Declaration of Human Rights,
- Considering that countries of Mercosur, Bolivia and Chile are signatories to the Convention relating to the Status of Refugees of 1951 and the additional Protocol of 1967,
- Considering that all the countries of the region assist refugees with the collaboration of and in cooperation with the United Nations High Commissioner for Refugees – UNHCR,
- Taking into account the need of the countries of Mercosur, Bolivia and Chile to have instruments establishing harmonised norms to control the reception, protection and rights of refugees, and
- Considering the Plan of Action presented in the Americas Summit signed by 34 Heads of State in attendance at Santiago de Chile on 19th April 1998, which mentions specifically the human rights of all immigrants including refugees.

PROCLAIM:

1. It is very advisable that the Contracting States of Mercosur, Bolivia and Chile, in their capacity as associate countries, have a precise legal norm on refuge, with arrangements likely to establish harmonised procedures on the matter.
2. Such regulation should consider the general principles on reception, protection and assistance of refugees consecrated in international instruments.
3. Contracting and associate States will study the possibility of including in the refuge definition the protection of victims of serious and generalised human rights violations.
4. Contracting and associate States will not apply refoulement measures to a refugee who has been recognised in another Contracting or associate State, to a country where his life, freedom or physical integrity are threatened by reasons of race, nationality, membership of a particular social group, political opinion or serious and generalised violation of human rights, according to the international norms governing this issue.

5. In so far as possible, Contracting and associate States should have a national body with the participation of the civil society, for implementing their policies on refugee issues.

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