

# Irregular migration

from its structural causes under a human rights approach:  
A proposal for Central America.

Manifiesto to public opinion in the international  
month for migrants.



The migrations in the world are of a regular and irregular nature, the former is explained by migration for work, education and family reunification.

Irregular migration has its roots in social and economic inequalities, wars, human trafficking, climate change and loss of biodiversity, political persecution, demographic changes, violence against women and other forms of domestic violence and social, as is the case of gang violence and organized crime.

In a historical moment of full mobility of capital and merchandise, the strict regulation and criminalization of the labor factor mobility is a paradox, especially when analyzing the phases of the globalization process which, in its first stage (since the last quarter of the century XIX, until the beginning of the twentieth century); the mobility of capitals and merchandise were always accompanied by massive migratory processes on a global scale which returns to gain momentum in the third phase of globalization in the last quarter of the twentieth century. Therefore, understanding the migratory phenomenon requires placing it first as a global phenomenon and second, as an effect derived from multifaceted factors (Ocampo, 2002).

The global data portal on migration (International Organization for Migration, 2019) shows the transboundary movements of people in this third stage. The total number of international migrants [1] in 1990 was 152.5 million, while in 2019 it has risen to 271.6 million people, that is 119 million additional migrants between the years 1990 and 2019, globally.

58% of the migration flows are concentrated in the most developed regions and 42% in less developed regions according to the United Nations classification, which expresses the unequal conditions and the lack of global convergence in relation to economic and social opportunities (International Organization for Migration, 2019).

The migrant population in irregular conditions presents a high vulnerability, since they do not have the protection and guarantees of their human rights, throughout the migration cycle (origin, transit,

destination and return). In this context, the case of women, youth and unaccompanied children, whose vulnerability is greater, is of great concern.

52% of the migratory flow to the United States in the last 27 years have been women, who in their transit are exposed to organized crime networks around drug trafficking, kidnappings, trafficking, rapes and assaults.

The net migration rate per thousand inhabitants [2] represents the net effect of immigration and emigration of the population of a given country. The net migration rate of the Central American region reached its highest value in the 1995-2000 five-year period, where -4.8 people per 1000 inhabitants migrated in net terms. After this period, the region presented a tendency to decrease, moving to a net migration rate in the five-year period 2015-2020 of -0.7 per 1000 inhabitants, this represents a reduction of 86%, that is, the lowest in the history of the region since the fifties (United Nations Department of Economic and Social Affairs Population, 2019).

This is due to the fact that countries that have presented a structural tendency to migration slowed irregular flows, either because of the increase in deportations and anti-immigration policies and speeches, which generates deterrent effects on the decisions of people to migrate. It is also explained by the economic dynamism shown by some countries in the region and the strengthening of social policies. However, its structural causes remain and it is a phenomenon that must be managed comprehensively.

Despite the tendency towards reduction is noticeable in El Salvador, it continues presenting the highest net migration rate in the region, and 132 people continue migrating per day in the five-year period 2015-2020 (in net terms). So, it shows great challenges in managing the migration cycle from an international migration governance - see annex.

The international community has agreed on the need for governance in migration contained in the United Nations Sustainable Development Agenda and the Global Compact on Safe, Orderly and Regular Migration (GCM) [3] that provides a framework to guide countries towards a more comprehensive approach to migration (United Nations General Assembly, 2018).

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Additionally, we believe that the SDGs have an inexorable path to address structural causes, which is why it constitutes a State policy that makes it possible to achieve these objectives. In fact, paragraph 29 of the SDGs states that:

“We recognize the positive contribution of migrants to inclusive growth and sustainable development. We also recognize that international migration is a multidimensional reality of great relevance for the development of countries of origin, transit and destination that requires coherent and comprehensive responses. We will cooperate at the international level to guarantee the

security, order and regularity of migrations, fully respecting human rights and providing humanitarian treatment to migrants, whatever their immigration status, and to refugees and displaced persons. Such cooperation should also strengthen the resilience of communities that host refugees, particularly in developing countries. We stress that migrants have the right to return to their country of nationality and remember that States must ensure that nationals who return to their country are properly received "(United Nations General Assembly, 2015, p. 9)

Thus, goal 10.7 of the SDGs establishes a central reference for countries: "Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the application of planned and well-managed migration policies" ( General Assembly of the United Nations, 2015, p. 24), so it is explicitly conceived to address the causes of the migratory phenomenon from its foundations and through the achievement of objectives that favor sustainable development.

We believe that the migratory agreements signed by the countries of the Northern Triangle and the United States of America contravene the provisions of the GCM and the SDGs, since they are based on an approach that distances itself from managing the phenomenon from a human rights perspective. of migration. States that are part of the multilateral system of the United Nations should consider the approaches contained in the GCM and SDGs, as they lay the foundations for a comprehensive approach to migration.

FUDECEN considers that the commitments of the countries of the Northern Triangle and the United States must be based on the criteria set forth in the Convention on the Status of Refugees of 1951 and the Protocol on the Status of Refugees of 1967, which have signed all countries, as well as the principles and regulations emanating from the Cartagena Declaration of 1984 and the Brazil Declaration and Plan of Action of 2014. The concept of safe third country is not established in any of these documents (United Nations General Assembly, 1967, 1951; Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, 1984; Participating Governments of the countries of Latin America and the Caribbean, 2014).

Pope Francis presented the document 20 Action Points for the Global Compact, which states that "The collective or arbitrary expulsion of migrants and refugees should be avoided. The principle of non-refoulement must always be respected: migrants and refugees should never be returned to a country that is considered insecure [...] the systematic application of a list of "safe countries" often does not take into account real security needs of certain refugees; they must be treated individually "(Migrants & Refugees Section, 2019, p. 2).

### What do we propose?

FUDECEN believes that a criminalizing and re-victimizing approach of the migrant population should not prevail, on the contrary, governance should be improved to take advantage of the positive effects of the migratory phenomenon. Migration must be an option and not a trigger for problems such as exclusion, inequality and insecurity.

FUDECEN argues that the region must work to reduce the gaps in poverty, inequality, insecurity, low growth and vulnerability to climate change to reduce the factors that explain irregular migrations.

We propose to regional institutions to work together with national and local governments to implement the following actions:

- Territorial development policies that reduce inequalities (social, income, gender, decent employment) and favor an inclusive environment.
- Reduce environmental vulnerability through effective policies for adaptation, mitigation and resilience to climate change. In this it is important to remember the commitments assumed in the Paris Agreement of 2015 (within the United Nations Framework Convention on Climate Change).
- Strengthen the prevention of violence and the generation of opportunities for children, adolescents and women.
- Guarantee human rights throughout the migration cycle: origin, transit, destination and return.
- Deepen a policy of productive transformation that boosts knowledge-intensive sectors and generates decent employment.
- It is essential to design and implement a policy that supports returnees and guarantees a dignified inclusion in the social and productive life of the country.

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[1] Note: Statistics refer to international migrant populations. They include all residents of a country born abroad, regardless of when they entered the country. In the case of countries for which information on the population born abroad is not available, DAES uses data on foreign citizens. Therefore, the number of international migrants may not include second-generation migrants, who were born in the country, but of parents who migrated. In addition, population data should not be confused with data on annual migration flows (that is, the number of migrants entering or leaving a country in a year) (United Nation, 2019)

[2] The net migration rate is the net total of migrants during the period per 1,000 people in the population of the respective country. The net total of migrants is the total number of immigrants minus the annual number of emigrants, including citizens and non-citizens. The data are estimates of five years. (United Nations Department of Economic and Social Affairs Population, 2019)

[3] Known as Global Compact for Safe, Orderly and Regular Migration (GCM)

## ANNEXES

### Net migration per five-year period between 1995-2020

País	Net migration per five-year period (number of people)					Net migration per day in each five-year period			
	1995-2000	2000-2005	2005-2010	2010-2015	2015-2020	2000-2005	2005-2010	2010-2015	2015-2020
<b>Centroamérica</b>	3,124,434	2,952,251	1,081,011	822,686	606,127	1,712	1,618	592	451
<b>El Salvador</b>	326,853	312,786	285,671	240,415	202,694	179	171	157	132
<b>Guatemala</b>	402,326	281,050	114,231	50,131	46,073	220	154	63	27

<b>Honduras</b>	64,998	41,999	25,000	30,000	34,000	36	23	14	16
<b>Nicaragua</b>	145,020	174,010	155,010	135,020	106,360	79	95	85	74

Source: Own elaboration based on United Nations Department of Economic and Social Affairs Population (2019)

### Net migration rate per 1000 population and percentage variation per five-year period between 1995-2020.

País	Net Migration Rate per 1000 inhabitants					Percentage change per five year period				Variation between the five-year period 1995-2000 and 2015-2020
	1995-2000	2000-2005	2005-2010	2010-2015	2015-2020	2000-2005	2005-2010	2010-2015	2015-2020	
<b>Centroamérica</b>	-4.8	-4.2	-1.4	-1.0	-0.7	2.6%	-12.7%	-66.1%	-29.3%	-86%
<b>El Salvador</b>	-11.4	-10.5	-9.3	-7.7	-6.3	16.6%	-7.7%	-10.9%	-17.7%	-44%
<b>Guatemala</b>	-7.3	-4.5	-1.6	-0.6	-0.5	-2.4%	-37.7%	-63.7%	-60.6%	-93%
<b>Honduras</b>	-2.1	-1.2	-0.6	-0.7	-0.7	-27.6%	-43.4%	-47%	8.5%	-66%
<b>Nicaragua</b>	-6.0	-6.6	-5.5	-4.5	-3.3	9.7%	11%	-16.9%	-18.6%	-45%

Source: Own elaboration based on United Nations Department of Economic and Social Affairs Population (2019)