



## Migrant caravan: States have duty to protect human rights

[Spanish](#)

GENEVA (28 November 2018) – Migrants and other persons in mobility, such as refugees and asylum seekers, travelling in caravans from Central America towards Mexico and the United States of America deserve full respect of their human rights by all countries involved, UN experts\* said.

The independent UN experts have voiced their concerns in letters to the governments of Guatemala, Honduras, Mexico and the United States and called on them to abide by international law.

States have to take all necessary measures to ensure the human rights of migrants travelling in caravans are fully protected, as they confront increasing threats to their lives, liberty and security as well as serious humanitarian challenges, linked to serious shortages of healthcare, medicines, water and sanitation, food, and shelter, the experts said. The vulnerabilities to which they are subjected in transit increase their risk to fall prey to traffickers and other forms of exploitation.

"Those caravans will not be the last ones unless the situation from which the migrants are fleeing, which for many includes extreme human rights violations, is considerably improved," the experts said.

"Rather than fuelling tensions with hate speech and threats, governments should work together to tackle inequality, poverty, social exclusion, violence, insecurity, environmental degradation and persecution as the main drivers of migration in Central America. Cooperation between these states is urgently required to develop more accessible, regular, safe and affordable migration channels."

Since mid-October an estimated 12,000 to 14,000 migrants have passed through the Guatemalan and Mexican borders seeking to reach the United States. Most people in the different groups of the caravans are from Honduras, with increasing numbers of migrants from Guatemala, Nicaragua and El Salvador joining. A significant number of the migrants are families, including many single mothers with children under the age of five. In addition, there are around 100 LGBTI persons and an unknown number of people with disabilities travelling in the caravans.

### Racial hatred and xenophobia

The UN experts also expressed their concern about the racist and xenophobic language and practices used by US authorities, which fly in the face of international human rights equality and non-discrimination standards. The official response in that country, in addition to violating international law, stigmatises migrants and refugees, equating them with crime and epidemics. It fuels a climate of intolerance, racial hatred and xenophobia against those perceived as non-white, creating hostile emotional environments.

"This has detrimental effects on the right to mental health not only of migrants, but of the general public," warned the experts. "It is of particular concern that such rhetoric is expressed by high-level authorities, leading to the escalation and normalisation of hate speech, incitement to hatred and discrimination in the political and public sphere."

The experts also voiced their deep concern about the decision to send military personnel to secure the border of the United States. "Experience shows that when armed forces are used to perform tasks that they are not trained to do, this usually leads to serious violations of human rights," the experts said.

They reminded the governments in their letters that they have to ensure the forces at the border will act in accordance with the internationally recognised principles of necessity, proportionality and rationality, upon the arrival of the caravans.

In addition, the independent UN experts said they were seriously worried about the considerable risks these migrants face on their way to the United States, including trafficking and violence, about legal and de facto obstacles to claim asylum in the United States, as well as possible returns in violation of the principle of non-refoulement and the lack of individual evaluation.

"When individual assessments are not carried out, and migrants are not given the opportunity to present their asylum claims describing the risks they may face when returned to their countries of origin, a possible violation of the international principle of non-refoulement results," the experts said.

They added that "threats to cut aid to the countries of origin of the migrants is counterproductive, as this may only worsen the living conditions from which these migrants were fleeing in the first place."

The countries of origins should also take the necessary measures to tackle the root causes of this mass migrations linked to socio-economic precarity, violence and lack of labour opportunities.

The UN human rights experts have addressed their concerns in separate letters to the four governments and are awaiting replies.

ENDS

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xenophobia and related intolerance; **Mr Niis Meizer**, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; **Ms Maria Grazia Giammarinaro**, Special Rapporteur on trafficking in persons, especially women and children; **Ms Ivana Radačić**, Chair of the Working Group on the issue of discrimination against women in law and in practice.

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