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Migration policies and human rights in Latin America : progressive practices, old challenges, worrying setbacks and new threats

Migration Policies and Human Rights in Latin America.

**Progressive Practices,
Old Challenges, Worrying Setbacks
and New Threats**

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In the field of migration policies from a human rights point of view, Latin America has increasingly become a peculiar region in the last 15 years. This assumption is based on the fact that the region has been experiencing a transitional phase which includes trends in diverse, including contradictory, directions.

On the one hand, a distinct note is the strong presence of the human rights narrative, which led to important improvements. Beginning with political and legal recognition of migration as a human right, during these years several positive legislative changes have been adopted, including equal protection of social rights of all migrants, non-detention based on migration status, due process safeguards and access to justice.

On the other hand, lack of effective implementation and pending legislative and policy changes depicted a decade full of deficits regarding the coherence between rhetoric and actual policies. Other structural challenges include widespread xenophobia throughout the region, lack of data for evidence-based policies, and absence of inter-institutional coordination aimed at ensuring comprehensive rights-based policies, among others.

In addition to such challenges, recent years have evidenced policy shifts in some countries that could be defined as worrying setbacks. Border militarization, immigration-detention practices, proposals for restricting social rights of undocumented migrants, among others, are among the new threats that tend to reverse some of the advances this region had made in previous years.

In this context, this Policy Paper examines whether the region is in time to prevent this regressive trend from deepening and, on the contrary, continues the transition that was expected to become a new paradigm on migration rights-centered governance model.

Some policy options, including a set of strategies and initiatives, are proposed in order to address and/or reverse those threats and setbacks, as well as to strengthen migration policies directed to respect, protect, promote and fulfill the human rights of all migrants.

Further information and the full text article is available at the [Global Campus Open Knowledge Repository](#)

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