**QUESTIONNAIRE**

**POVERTY, CLIMATE CHANGE AND DESCA IN CENTRAL AMERICA AND MEXICO, IN THE CONTEXT OF HUMAN MOBILITY**

1. **Presentation and Objective**

The Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights (REDESCA) of the Inter-American Commission on Human Rights (IACHR) will prepare a thematic report on Poverty, Climate Change and ESCR in Central America and Mexico, in the context of human mobility. The objective of the report is to carry out a broad diagnosis of the reasons behind human mobility in the sub-region from the perspective of guaranteeing ESCR, with particular emphasis on the dimensions of poverty, inequality and climate change. REDESCA believes that these findings will contribute to the diagnosis of the situation from a novel and proactive angle, which in addition to identifying the problems, can also contribute to the solutions from a holistic human rights approach. To this end, the report seeks to systematise and identify how these inequalities and the challenges to the realisation of ESC rights are framed in the complex contexts of mass movements of people in the countries of Central America and Mexico, as well as to identify the specific obligations of states to guarantee them, particularly for people who are in a situation of human mobility.

Poverty, inequality and limitations in the access and enjoyment of ESC rights are realities common to the countries of Central America and Mexico, which have resulted in a lack of opportunities for human development, aggravated by the pandemic and the climate crisis, and to this extent are currently one of the main underlying causes of the large movements of people in this sub-region[[1]](#footnote-2) . In turn, the region faces serious human development challenges, considering the most relevant indices available, such as those measuring human development (HDI)[[2]](#footnote-3) , inequality (GINI)[[3]](#footnote-4) , education (PISA)[[4]](#footnote-5) , corruption (CPI)[[5]](#footnote-6) , economic freedom (EF)[[6]](#footnote-7) , and GDP performance[[7]](#footnote-8) , among others. The intersectional analysis of these indices reveals the current socio-economic situation of the sub-region, as well as the weak composition of the productive and labour matrix, which does not support the growth and expansion of high-productivity sectors, but rather, on the contrary, tends to increase inequality and poverty levels[[8]](#footnote-9) .

For its part, the climate emergency also generates direct and indirect effects on human mobility, whether as a consequence of natural disasters or slow-onset impacts, which are reflected in abrupt changes in climatic phenomena that affect the quality of soil, water and air and directly impact economic production of crops, fisheries and livestock. In this regard, the Commission and REDESCA have closely followed the disproportionate effects that the climate emergency has on the countries of Central America. According to ECLAC, it has been identified that the intensity and increased frequency of tropical storms, hurricanes and prolonged droughts have affected the life patterns of people in that part of the region, causing internal displacement due to the lack of opportunities and the destruction of infrastructure, among other factors. To that extent, issues such as the food crisis, the issue of human mobility, and inequality and poverty rates could increase disproportionately, jeopardising the resilience and adaptive capacity of these countries to improve the living conditions of the people who live there[[9]](#footnote-10) .

Consequently, trends in human mobility flows in the region and sub-region have increased steadily in recent years, not only due to the political instability and levels of violence and citizen insecurity recorded in recent decades, but also due to factors associated with the situation of poverty, underdevelopment and slow economic growth[[10]](#footnote-11) . Hence, the lack of guaranteed access to and enjoyment of ESC rights and the absence of prospects for improving basic human development conditions in the states of origin are added to the main causes of human mobility in this region.

These migration flow trends represent an additional challenge in terms of ESC rights: it is also necessary to analyse and determine how to ensure access to and enjoyment of ESC rights in States of origin, transit and receiving States; To this end, it is necessary to identify and establish standards for the protection of ESC rights and general obligations of States, both immediate and progressive in the context of human mobility, with special attention to particular situations such as the health crisis caused by the covid-19 pandemic and natural disasters, always with a gender perspective and intersectionality of groups and individuals in vulnerable situations and from an interdisciplinary analysis that addresses the different aspects of the issue to be analysed.

This will provide guidance to States, civil society and other relevant actors in the adoption of measures and public policies focused on addressing these causes of human mobility and on encouraging coordinated, timely and effective responses, not only for the sake of greater citizen security but also social protection.

For the purposes of this report, the countries comprising Central America are Belize, Costa Rica, El Salvador, Honduras, Guatemala, Panama and Nicaragua. Mexico is also included due to its geographic proximity and geopolitical importance. For the purposes of this report, the phenomenon of human mobility will be analysed in a comprehensive manner, i.e. covering the different forms of mass flows of people, whether through internal or cross-border displacement, without distinguishing between the aspects that characterise each of the manifestations of mobility - migration, refuge, asylum, internal displacement, etc. - with respect to the scope and national and international protection of their human rights.

1. **Instructions**

REDESCA invites interested individuals and institutions to send their responses to this questionnaire with information on statistical data, regulatory framework, public policies, protection mechanisms, challenges and good practices by 31 March 2023 to the following address:

Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (REDESCA)

Inter-American Commission on Human Rights

Organisation of American States

1889 F St NW

Washington, DC 20006

CIDH\_DESCA@oas.org

In case of electronic response, please include in the subject line of the email: "Questionnaire - Poverty, Climate Change and DESCA in Central America and Mexico, in the Context of Human Mobility".

 The information submitted in response to this questionnaire may relate to all or some of the items requested. Information may be provided in English, Spanish, Portuguese or French. Please identify the numbers of the questions to be answered in the document to be sent. You are also invited to respond directly to each of the questions asked, providing concrete and specific information on what you consider to be the most relevant, significant and/or pertinent.

 When annexes are submitted, they should be clearly identified and differentiated from the main document. Previously published reports may be submitted as annexes.

1. **Information requested**
2. **Statistical Information**

A. Indicate whether the State has official statistical data or whether there are reliable statistical data from non-governmental organisations, for the last five years, preferably with geographical or local disaggregation where appropriate, of data relating to:

1. Indicators of human mobility, both reported migration, reported transit and reported displacement rates, preferably disaggregated by gender, ethnic or racial origin, nationality, socio-economic status, age, among other factors, as well as indicators of the main causes or reasons for these migration flows.
2. State performance in the main internationally recognised human development indices, such as: human development (HDI), education (PISA), income inequality (GINI), corruption (CPI), economic freedom and other relevant indices that may be relevant in the analysis of levels of socio-economic development, poverty and inequality; State macroeconomic development indicators, especially GDP performance and formal employment.
3. Key labour market indicators, including labour force vs. total population figures, average hours of work, labour force participation rates, educational attainment of the labour force, among other labour indicators; indicators of economic freedom and qualitative and quantitative data on small and medium-sized enterprises (SMEs). Indicators and data are preferably required disaggregated, preferably geographically, by gender, ethnicity or race, nationality, socio-economic status, age, among other factors.
4. Indicators and figures related to the climate emergency and its impacts at State or regional level, including observed changes in temperature, precipitation, air quality, sea level and loss of coastline. Also, data on areas or regions affected by natural disasters, erosion effects and environmental impacts on economic production of crops, fisheries and livestock in the last five years, along with figures on biodiversity loss among other indicators of accelerated processes of environmental degradation by economic activities.
5. Socio-economic figures, in particular on: (i) poverty and extreme poverty in the country; (ii) population figures benefiting from health systems, primary medical care, and/or social security; (iii) percentage of population information with access to basic, secondary and higher or university education, as well as enrolment and dropout rates at different levels of education; (iv) number of people suffering from hunger, undernourishment, food or nutritional insecurity, overweight, obesity and stunting; population and housing censuses; (v) figures on access to other basic or essential public services such as electricity, natural gas, drinking water, internet, public transport, urban and household sanitation. Such indicators and figures are preferably required disaggregated at the geographical level (by department or locality), by gender, ethnic or racial origin, nationality, socio-economic level, age, among other factors.

B. If possible, provide support for this statistical information or indicate where it is available and accessible. If available, indicate multiple sources for this data, including state and non-state statistics.

**2. Regulatory Framework**

A. Indicate which, if any, of the following rights are recognised, guaranteed or developed in the national or local legal framework:

1. Right to health
2. Right to education
3. Right to an adequate standard of living
4. Right to work; right to just, fair and favourable conditions of work and trade union rights
5. Right to economic freedom
6. Right to adequate food
7. Right to access to safe drinking water and sanitation
8. Right to a healthy environment
9. Right to housing
10. The principle of equality and non-discrimination, in relation to economic, social, cultural and environmental rights, in particular the rights listed above.
11. Indicate the normative provisions that grant special protection of these rights or additional rights to persons in a situation of human mobility, as well as special protections based on gender, ethnic or racial origin, socio-economic level, age, among other circumstances of potential vulnerability.
12. The right to have access to effective remedies (administrative or judicial) for violations of the above-mentioned rights.

B. If possible, provide the normative texts and/or judicial decisions that recognise and develop these rights, or indicate where they can be consulted.

C. State whether the State has signed and/or ratified the relevant Inter-American instruments, such as the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the ILO Conventions on labour rights; the Paris Agreement; the Escazu Agreement, or any other international treaty or convention that addresses the protection of the rights listed above or bilateral agreements for the protection of persons in a situation of human mobility.

**3. Public Policy**

A. Describe the State or national public policies, programmes, plans and measures of a social, economic or fiscal nature that the State has implemented in the last five years or is currently implementing in order to make progress in the short, medium or long term on the following issues:

1. Prevent or combat levels of poverty, inequality or social vulnerability, or promote economic and social development, including social protection programmes and investment incentives.
2. Address situations of internal and cross-border human mobility and conduct migration policy, whether as a state of origin, transit or receiving state.
3. Strengthen the guarantee, enjoyment and access to economic, social, cultural or environmental rights, especially the rights to health, education, adequate standard of living, work and working conditions, trade union rights, economic freedom, adequate food, safe drinking water and sanitation, healthy environment and housing.
4. Address the climate emergency and combat its causes and effects.

B. Mention the institutional indicators and mechanisms for managing, implementing, monitoring and evaluating the progress of these public policies. If they do not exist, indicate which indicators and monitoring mechanisms you consider most appropriate.

C. Provide information on the challenges and progress in the design, formulation, implementation, execution, monitoring and evaluation of these public policies.

**4. Judicial and extra-judicial protection mechanisms**

Indicate which judicial and extrajudicial mechanisms are available to protect and guarantee access to goods and services related to economic, social, cultural and environmental rights for persons in a situation of human mobility.

**5. Challenges**

Indicate the main structural, legal, social, economic, cultural, environmental and political challenges to implement and execute policies, programmes, plans and/or legal norms that aim to (i) eliminate barriers to access to economic, social, cultural and environmental rights, with special emphasis on people in situations of human mobility, and (ii) ensure that the full realisation and exercise of these rights is within the reach of all people, especially vulnerable populations.

**6. Good practice**

If not mentioned above, please indicate which good practices have been implemented at the regional level, by States or by civil society with the purpose of (i) removing barriers to access to economic, social, cultural and environmental rights, with special attention to persons in a situation of human mobility, and (ii) ensuring that the full realisation and exercise of these rights is available to all persons, especially to populations in situations of vulnerability.

 **7. Additional Information**

Any other additional information you consider relevant to REDESCA's knowledge on these matters.

We are grateful for your participation and for the dissemination of this document.

1. UNDP, USAID, [Citizen Security, Human Mobility and Development in the Northern Central American Countries](https://www.sdg16hub.org/system/files/2020-11/Seguridad-y-movilidad-humana-30sep2020.pdf), September 2020, p. 4. [↑](#footnote-ref-2)
2. UNDP, [Human Development Index](https://hdr.undp.org/data-center/human-development-index#/indicies/HDI) [↑](#footnote-ref-3)
3. World Bank, [GINI Index](https://data.worldbank.org/indicator/SI.POV.GINI) [↑](#footnote-ref-4)
4. OECD, [PISA Indicator](https://www.oecd.org/pisa/) [↑](#footnote-ref-5)
5. https://www.transparency.org/en/cpi/2022 [↑](#footnote-ref-6)
6. https://indexdotnet.azurewebsites.net/index/ranking [↑](#footnote-ref-7)
7. https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG [↑](#footnote-ref-8)
8. ECLAC, [Development and Migration: Challenges and Opportunities in the Northern Central American Countries](https://repositorio.cepal.org/bitstream/handle/11362/44649/1/S1000454_es.pdf), LC/MEX/TS.2019/7, June 2019, p. 71. [↑](#footnote-ref-9)
9. IACHR and REDESCA. [Climate Emergency Inter-American Human Rights Scope and Obligations. Resolution 3/21](https://www.oas.org/es/cidh/decisiones/pdf/2021/resolucion_3-21_spa.pdf), December 2021 [↑](#footnote-ref-10)
10. ECLAC, [Development and Migration: Challenges and Opportunities in the countries of northern Central America](https://repositorio.cepal.org/bitstream/handle/11362/44649/1/S1000454_es.pdf), cit. 31, 72. [↑](#footnote-ref-11)