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Vanessa A. Sanchez

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Forgotten Voices: United Nations, Human Rights, and Central America's Refugee Crisis

Vanessa Alejandra Sanchez

A Thesis Submitted to the Department of International Studies in partial fulfillment for the requirements for the degree of Master of Arts

University of San Francisco
April 30, 2023
Master of Arts in International Studies

Advised by. Professor Olivier Bercault

Forgotten Voices: United Nations, Human Rights, and Central America's Refugee Crisis

In Partial Fulfillment of the Requirements for the Degree


MASTER OF ARTS
in
INTERNATIONAL STUDIES

by Vanessa Alejandra Sanchez
April 30, 2023

UNIVERSITY OF SAN FRANCISCO

Under the guidance and approval of the committee, and approval by all the members, this thesis project has been accepted in partial fulfillment of the requirements for the degree.

APPROVED:



Capstone Adviser

5/5/2023

Date

Nora Fisher Onar

MAIS Director

5/18/2023

Date

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1. Abstract

Within the international community, exists an institution known as the United Nations that strives to uphold the protections of human rights. Known to set the tone for all member states on how to approach human rights, they also advise states during times of crisis, as with El Salvador, Guatemala, and Honduras. Such clusters of states are known as the Northern Triangle and the region underwent an exponential refugee crisis, highlighted in 2018, via mass caravans from El Salvador, Guatemala, and Honduras to neighboring countries, Mexico, and the United States. Beyond acknowledging the instant need for the international community to seek actors to blame, whether that be the United Nations or member states, this paper will investigate the dynamic between the Human Rights Regime and its actors. This paper will seek to answer the question: How has the United Nation's prioritization of some human rights impacted Central America's approach towards the Refugee Crisis? Through a qualitative approach, in testing the hypothesis, this paper has found that the United Nations has not directly influenced the Northern Triangle's approach towards the 2018 caravan, but rather the interpretations of their conventions relating to all categories of human rights have greatly influenced the approaches the Northern Triangle states have taken in handling the refugee crisis. Both the instability of the states themselves, paired with such influences, have led to the repeating failure of curtaining the refugee crisis.

2. Introduction

Caravans are not a new phenomenon within the migrant community and are a way in which migrants can travel with slightly decreased risks of harm. In 2018, there appeared a resurgence of caravans from Central America, notably, during a time where immigration laws were only increasingly becoming more restrictive. Twenty-nine-year-old Pedro Juárez, was part of a group of migrants that had met up in Honduras, in hopes of reaching Mexico or the United States. Photographer Brett Gundlock took both portraits of many like Juárez and took note of their testimonials, Juárez shared, ““In Honduras the authorities do not exist. They wear uniforms, but they are sold to the gangs... I was hit by two bullets. I almost died, but by a pure miracle of God I am still alive. I still have a bullet in my body... that they could not remove in Honduras”” (Gundlock). Juárez fled not only violence but corruption and yet his story is not unique. From a neighboring country, Fifty-three-year-old Jose de Eugenio Lopez, fled from El Salvador on three separate occasions. The first due to the civil war that lasted 12 years, the second time, he lost his leg to the freight train he was traveling on, after falling under it, and the third time was with the caravan in 2018. Lopez shared, “In our country, crime makes it impossible to live. There are too many gangs. There are too many death squads” (Cuffe). Additionally, Lopez was fleeing generational violence as he attempted to return home after living in the United States for a decade, but as mentioned before, sought to flee El Salvador twice over, even when it resulted in the loss of his limb. It was not until his third attempt to leave El Salvador, was he presented with the chance to seek asylum in the host country, Mexico (Cuffe).

Such experiences shared by Juárez and Lopez are not unique and have become normalized within migrants, refugees, and internally displaced persons, yet Juárez and many others are not protected internationally under the definition of refugee. The United Nations High Commissioner of Refugees's (UNHCR) use of the 1951 Refugee Convention, define refugees as, "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasoning of race, religion, nationality, membership of a particular social group, or political opinion" (The 1951 Refugee Convention). Notice how the definition does not account economic, climate, or health as defining characteristics of who can be classified as a refugee and thus recognized as such internationally. Although the reality is that, many flee, "... to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural-and human-made disasters" (United Nations High Commissioner for Refugees). Such narrow definitions combined with how the human rights regime is presented by institutions such as the United Nations are central to navigating the failure on behalf of states, in handling refugee crises.

The refugee crisis is ongoing, but this paper will focus from 2018 to 2022. Caravans are not a new phenomenon to the international community, but the size and magnitude of the caravans from 2018, exposed a refugee crisis that goes beyond regional violence, "Refugees and asylum seekers from northern Central American countries in particular - Honduras, El Salvador, and Guatemala - made up 72 percent of the total population of refugees and asylum seekers from the region by the end of 2020, reaching 513,032" (Migration Data in Central America). How then, did we get to this point? This paper seeks to question how the dynamic within the human rights regime between the United Nations and the Northern Triangle of Central America have failed at curtailing the issues caused by the mass migration of refugees from the regions.

Within the human rights community there exists an imbalance of prioritization among three categories of human rights. The categories are broken down into 1) political and civil, 2) economic, social, and cultural and 3) peace, development, and a protected environment (solidarity rights). International institutions that hold authority and legitimacy within the human rights community enable such prioritization and as it was, they are also looked to by member states on matters of human rights. Acknowledging that there exists such a hierarchy among human rights within the community, that is further perpetuated by international institutions is the first step. The issue resides with the lack of accountability from said international institutions when member states are found to have failed in protecting or preventing human rights violations that are multi-generational. In the case of my research, the Central American Refugee Crisis, and specifically how states failed at enforcing human rights is an example of that relationship between institutions and states. I will be investigating the link between the United Nations, its prioritization of certain rights over others, and the implications it has on its Central American member states during the Central American Refugee Crisis of the 2000s. The problem within this relationship and academia is the gap in addressing the link between interpretation of the UN's policy and the influence on Central American states in matters of human rights crisis, allowing said human rights crisis to continue, and in turn, failure to curtail the cycle.

Refugee Crisis Timeline

The Northern Triangle is predominantly known for its lack of development by the standards of the International Monetary Fund (IMF) and the World Bank. International institutions such as the IMF, World Bank, and United Nations often base their categorization of states based on their economic standing and social development. As mentioned by the World Bank, "The United Nations has no formal definition of developing countries, but still uses the

term for monitoring purposes and classifies as many as 1,159 countries as developing” (Khojar and Serajuddin). Such distinction is embedded in the classification even though the term, “developing country” is not clearly defined and as such is telling of how the United Nations and international community view certain states. This paper will focus on the refugee crisis from 2018 to 2022, seeing as throughout this period, the crisis peaked with the influx of migration from the Northern Triangle region. At the start of the resurgence, in October of 2018, “Struggling with rampant violence, chronic poverty, and failed harvests due to environmental degradation and climate change, entire families have made the difficult decision to leave their homes and flee north. In October 2018, multiple migrant caravans set off from Honduras and other Central American countries - comprising about 10,000 people in total... in search of asylum and a dignified life” (Fleser). The reality is that not all migrants have the same cause for fleeing but only one category of migrant is afforded legal international protection... refugees. Hence, when the caravan of migrants was fleeing for a plethora of reasons, it became clear that even in times of great despair and crisis, only some were guaranteed protections whereas others were left to the social and legal terrors within their own states or host states. How else could it be described when world leaders of nations, such as the United States, were calling for the banishment of migrants from Central America, referring to the caravan as an invasion and outright dangerous, “This isn’t an innocent group of people... They have injured, they have attacked” (Yen and Long). This paper also acknowledges how because of the small classification of refugees, proliferated by the United Nations, such distinction has also led to two drastically different experiences for migrants fleeing Ukraine in 2022 and migrants fleeing El Salvador, Guatemala, and Honduras in 2018.

The United Nations is one of, if not, the most respected human rights institutions globally, and as such, their definitions, methods, and findings are held with equal regards. Even in the small percentage, where there exist states that do not hold the utmost respect for human rights or the United Nations, the Northern Triangle member states subscribe to the United Nations willingly. El Salvador, Guatemala, and Honduras joined the United Nations as member states. Of the three states, El Salvador's admission to the United Nations was on October 24, 1945, followed by Guatemala on November 21, 1945, and Honduras on December 17, 1945.

What is Marco Integral Regional para la Protección y Soluciones (Regional Response in Central America and Mexico), known as MIRPs - and what has that done for the Central American Refugee crisis? All three countries within the Northern Triangle have partnered up with MIRPS in efforts to construct and follow through with action plans that focus on Internally Displaced Persons and Refugees. MIRPS, being the Spanish and commonly used acronym for the organizations, was launched in 2017 after the Declaration of San Pedro Sula was signed by founding members: Belize, Costa Rica, Guatemala, Honduras, Mexico, and Panama. El Salvador formally joined MIRPS in 2020. MIRPS is more of a guiding body in the coalition's efforts to shoulder the responsibility of the region in its creation of internally displaced persons, refugees, and deportees (The Global Compact on Refugees). MIRPs has echoed the sentiments of the international community in its description of the displacement within Central America, stating, "... Central America hosts hundreds of thousands of people who have been forced to flee either within or outside their country's borders. This includes internally displaced people within El Salvador and Honduras, and refugees and asylum seekers from all northern Central American countries who have fled chronic gang violence and insecurity... additional several hundred

thousand are deportees, which include people with protection need” (The Global Compact on Refugees).

The situation within Central America and the vast displacement caused by instability, economic, and climate issues are often overshadowed by the threat of gang violence. MIRPS is an organization that has risen due to the lack of support for non-refugee classified persons within Central America, who do not have access to protected rights, such as legal aid, classification, and resettlement plans. The refugee crisis is by its legal definition only a portion of the reality this paper seeks to center, as the definition for refugee will be expanded to account for asylum seekers, internally displaced persons, and others of concern. This paper will not seek to answer how to improve the Refugee crisis within Central America and Mexico, but rather investigate the relationship between the United Nations prioritizations and the Northern Triangle states and how that has led to inadequacies when handling refugees. There is a gap between the United Nations, its agencies such as the United Nations High Commissioner for Refugees in supporting, “... the inclusion of refugees, asylum - seekers, deportees with protection needs and internally displaced people in national systems.” - but not internationally (El Salvador: Factsheet). On a national level, UNHCR and the UN support expanding the definition for refugees to account for a wider range of affected persons but not on the international level.

Covid - 19 Acknowledgement

Being that the crisis this paper will examine takes place between 2018 and 2022, it is important to make note that another humanitarian crisis began in 2019, known as COVID-19. The health pandemic is ongoing and has greatly impacted the region of Central America in particular, as noted by a 2020 study done by the IMF, “Latin America and the Caribbean (LAC) has been hard hit by the COVID-19 crisis both in terms of lives and of livelihoods...Combined

with initial vulnerabilities associated with high informality, low access to health services, low government effectiveness, high poverty and densely populated urban areas, the outcome has been a high toll on lives... in many countries” (Pienknagura et al. 1). Due to the high numbers of lives lost to the pandemic, population trends globally have been impacted, especially in under-reported regions such as Central America. This paper will instead use qualitative analysis to engage with refugee populations as a result.

The Northern Triangle is the crux of Central America and known internationally as a cluster of failed nations. Such a notion, still new, but holds a lot of significance on the perceived states. How did we get here? The issue with a moment of crisis, begins before the initial problem, it starts with the government and institutions and how they have operated in a manner that renders failed attempts at curtailing human rights crises, such as the Central American refugee crisis. The notion of a failed state is counterproductive and so is the hyper fixation of labeling non-western countries in similar terms, “developing”, “third world”, “backward nations”. Why is it then, that the United Nations invoke language that takes away from focusing on the issues that require more than shaming mechanisms. Government’s focus entirely too much on the acceptance from the international community, going through great lengths to receive praise, all on the account of what the United Nations has established as the most important, such as Political and Civil human rights. Both the United Nations and the Northern Triangle have focused either on one set of human rights or on how they are perceived, rather than setting aside definitions regarding helping those in times of crisis, in this case, the refugees of Central America.

Essentially, I am hypothesizing that such relationships between international human rights organizations and the northern triangle have twofold implications: the first, prioritization

from the institution negatively impact the states approach to human rights crises and second, it makes it difficult for both states and institutions to curtail the Central American Refugee crisis effectively. My research is necessary because it is directly making the argument that there exists a link between the United Nations and Central American states in matters of the Refugee Crisis. This argument is not found within the scholarly literature surrounding refugees, human rights, Central America, or the United Nations. My research both complements existing theories concerning hierarchy of human rights and simultaneously challenges some existing definitions. Thus, my research seeks to answer the following question: How has the United Nations' prioritization of certain human rights impacted Central America's approach towards the Refugee Crisis?

3. Literature Review

a. Human Rights Regime

United Nations and International Norms

This section will go over the need for the United Nations post WW2 and how they came about creating an international community centered around human rights. The context of how they were enabled and how exactly the human rights norms became proliferated throughout the international community. Within any attempts to reorganize the international community behind a set of norms, the United Nations succeeded through, "... the framing and adoption of the Universal Declaration of human rights as also in the drawing up of the Covenants on Economic, Social and Cultural Rights and Civil and Political Rights whereby it has shown that a consensus exists between the peoples and nations on the point... the human being regarded as a person... the purpose of realizing his rights and freedoms... that has to be organized" (Brohi 82). Once the need for an international organization was answered through the creation of the human rights

regime, many theorists and politicians argued over the interpretations and mechanism for achieving respect for human rights. The creation of Conventions was the first step in creating a foundation for how to approach human rights of various categories, from the perspective of state actors.

The issue shifted from debate around the principles to the legality of human rights, "...the principle of dignity of man is no longer "brooding omnipresence in the sky" for the philosophers to sense and to explore but is henceforward to be at the center of the tactics and strategy for achieving international peace and security" (Brohi 83). Due to the shift from principals to legality, the international humanitarian law community stepped in to offer more guidance on how to categorize the plethora of human rights in sections, making it possible for states to quantify and write them into their legislation. The United Nations did not fall behind in increasingly the ability for states to categorize human rights, for it invoked within its texts, references to fundamental freedoms, "...the provisions contained in the Charter of the United Nations reveal a great deal of emphasis upon the desirability of showing international concern for the due protection of human rights and fundamental freedoms" (Brohi 86). The international community had just survived a traumatic World War two and were tired of the violence and the senseless violations that took place throughout the war. Hence, the United Nations was readily accepted and all the difficulty of framing human rights, along with the responsibility of mitigating between member states. It was during this period of great loss and the transition back into a life post-conflict, that the first inklings of international norms towards human rights were established.

Hierarchy of Rights: First > Secondary and Third Categorization of Human Rights

As mentioned in the introduction, this paper will be engaging with three prominent human rights categories, political and civil rights, economic, social, and cultural rights, and peace, development and environmental rights (solidarity right). Such categorization of rights is defined by Theodore Meron. He identified the first generation of human rights as political and civil, the second generation as economic, social, and cultural rights, and the third generation of rights as solidarity rights. The third category, solidarity rights are also addressed by peace, development, and protected environment rights. All three categories are interwoven within the Central American refugee crisis. Seeing as though Refugees, with the inclusion of internally displaced persons, are often seeking refuge from issues that do not independently fall within either of the three categories. It is important to understand the international and national approach to first, second, and third generation human rights.

The hierarchy of rights has foundations within law and dates to the original debate of fundamental versus ordinary rights. Within the international law community, the two concepts *Erga Omnes* and *Jus Cogens* are important to contextualizing the hierarchy debate. *Erga Omnes*, was a concept created by the International Law Commission (ILC), and addresses rights considered to be fundamental and basic human rights, of which hold “... international obligations which, by reason of the importance of their subject-matter for the international community as a whole, are unlike the others - obligations whose fulfillment all States have a legal interest in” (Meron 1). *Jus Cogens* were constituted under the “...authoritative draft Restatement of the Foreign Relations Law of the United States...” and described as peremptory rights (Meron 2). The Vienna Convention on the Law of Treaties puts it, “it is not the form of a general rule of international law but the particular nature of the subject - matter with which it deals that may ... give it a character of *jus cogens*” (Meron 9).

Both notions are not secular and often overlap regarding human rights, yet attempts are still made to classify rights as either fundamental or ordinary, but aside from the fundamental right to freedom of torture and the right to life, such classification is difficult and confusing, "... to choose which rights are more important than other rights is exceedingly difficult. It is fraught with personal, cultural, and political bias and, to make matters worse, has not been addressed by the international community as a whole..." (Meron 4). Although the hierarchy between human rights are debated, the way in which they are proliferated throughout the international community, is not. The distinctions of fundamental and ordinary are not simply classifying one type of human right over another but rather a guiding principle for how to engage with human rights violations, similar to the procedural manner in which the prioritization of certain rights take precedence over others. This notion can be visibly tracked within international law.

Dinah Shelton centered the debate about the influence hierarchy in international law has had on the human rights regime. Human rights and international law go hand in hand. One cannot speak on human rights without also talking about international law because they are embedded and invoked simultaneously by actors within the international community all the time. The legality of human rights is not challenged but rather their interpretations, and as the debate between fundamental and ordinary rights progresses, it becomes apparent that it is an issue of bias. The debate covers the argument that actors within the human rights community make use of hierarchical categorization to help establish the concept of *erga omnes* and *jus cogens*. Both concepts are indeed important within the notion of international law and the legalities of international treaties but can be harmful when interpreted by individuals within the United Nations.

The hierarchy of international human rights and how in particular the acknowledgment of such hierarchy is omitted from the conversation. Thus, through an examination of rhetoric on both international institutions and state levels is necessary to establish the existence of said hierarchy. The concept of relative normativity helps us to understand just how the hierarchy within the human rights regime became the norm through the enabling of the United Nations. In 1978, during the *Tel-Oren v. Libyan Arab Republic*, “Judge, Harry T. Edwards discussed whether torture, as distinguished from terrorism, “is among the handful of crimes to which the law of nations attributed individual [civil] responsibility (Meron 1). This specific case highlights the attempts to legitimize the notion of “basic rights of the human person” and “most fundamental human rights”, which help us understand how the international community were inspired to categorize certain human rights over others. This case speaks to a correlation between international perceived obligation in respecting human rights, and how the institution and member states pick and choose which and to what extent to uphold human rights within their own legislations.

Although through great efforts from the International Law Commission to establish *erga omnes*, through distinguishing fundamental rights over ordinary, there is a lack of mechanisms that allow for any feasible way to both recognize and ensure freedom of bias (Meron 8). Hence, in establishing such an approach towards international law, of which the international community refers to in times of crisis, has also mirrored similar attempts at prioritization within human rights categories. The issue in attempted prioritization is not within the type of human rights but rather the actors establishing that order, as it were, the international community already disagree on just the mere existence of human rights, as can be seen with any lack of ratification or disagreements published upon signing human right treaties. How then, can the same

international community be interested to properly categorize human rights, when it struggles with respecting them at the legal level. Even with the guidance of the United Nations, being that it has no hard power of its own nor does it have procedures in place to follow, the prioritization of human rights is rather a reflection of personal bias and interpretations of individuals, rather than an feasible way of addressing human rights.

Through international law, the emergence of a need to identify fundamental versus ordinary rights arose, and by consequence discourse within the international community, “The use of hierarchical terms in discussing human rights reflects the quest for a normative order in which higher rights could be invoked as both a moral and a legal barrier to derogations from and violations of human rights” (Meron 21). The need to establish hierarchical notion of rights within the legal community should be then held separately from the international community’s approach to human rights, as the abilities in the former, are embedded with judicial mechanisms, whereas the latter is not. This established hierarchy between human rights is based on the interpretation of their importance throughout the international community, from actors such as United Nations personnel to political figures within member states. It is important to clarify that the issue with the hierarchy is not in the procedural way in which they are approached but rather in the way some categories are forgotten or not prioritized, such as solidarity rights.

Colonial School of Thought: The Split within Human Rights

The theory on the split within human rights, was a notion that spoke of the line drawn in both institutional and conceptual methods between the economic and political (Pahuja 18). This split was supported on the account of which political side, member states profited from when it came to notions of communism or democracies. Pahuja outlines the way in which the split

between economic and political became an “operative mode of power...and superior positioning of development and economic growth vis-à-vis international law” (Pahuja 13).

Combined with how complex and trans-generational issues are broken down and effectively chalked up to either side of the debate as political or economic. Meaning, when leading world powers enter conversations concerning issues of climate change, their approaches are first influenced by their political ideologies, rather than the impact on human rights. Such bilateral split also diminishes the importance of establishing three categories of human rights, as it commodifies all rights under either economic or political. There lies the issue within the United Nations reference to the concepts within international law that surround human rights. When using legal notions of development and letting it influence how member states are addressed, it creates a separation between states who qualify as “developed” versus “developing”.

b. Regionalism: The Northern Triangle

Central America: The Northern Triangle

Why Central America? Simply because not enough people are talking about Central America. As of recently, academic, and social conversations have centered around MS-13, Bitcoin, or lack of development. In order to broaden the conversation, gaps within academia have to be filled, and such gaps are widely disseminated in conversations surrounding the United Nations relationship with Central America beyond humanitarian aid, and that is problematic. Quick searches in databases such as Jstor, EBSCOHost, and even Google Scholar will show you that in this niche topic, less than a few thousand articles will be available, and that is without the guarantee that they will cover both the refugee crisis and Central America’s Relationship with the United Nations. It grows imperative that the existing literature grow with the conversations around Central America, in particular, the conversation with the Northern Triangle. The

Northern Triangle is perceived as a gap within the developmental world that exists in Central America, but why is that?

The issue of corruption is both significant and rampant, but it often overshadows other influences within Central America, such as imperialism, modern colonization, consumerism. The issue with the Northern Triangle isn't solely that it's unsalvageable or dangerous, but that regardless of what the states accomplish, they will continue to be viewed as countries home to gang violence and governmental instability. As such this paper will not focus on the concept of corruption or gang violence when engaging within the northern triangle of central America because such focus is widely proliferated within the existing research, and as my research aims to point out, insufficient in addressing issues of human rights.

Notions of Failed State v. Northern Triangle

The notion of a failed state is still new, "Concept of failed states entered the USA's political lexicon in the early 1990s, it has come to occupy a prominent place in international peace and security" (Call 1491). When it relates to states within the international community, such classification has been placed upon countries throughout Central America, in particular those that make up the Northern Triangle. The sisterhood of states, known as El Salvador, Guatemala, and Honduras are more than just the classifications of underdeveloped, dangerous, or failed ... They are states in constant transition, evolving to meet the demands of the international community, and operating within the spaces they know best, "...a modest initial attempt to develop alternative concepts and principles for thinking about diverse states, countries that pose varied challenges for academic analysis and for Western policy makers, be they concerned with counter-terrorism, consolidating peace, human rights, democratisation, or global hunger" (Call 1942).

As such, classifying El Salvador, Guatemala, and Honduras as failed states has done infinitely more harm than good. Yes, there is gang violence, yes there are refugees, and yes, there is corruption yet, those are not unique characteristics to the Northern Triangle States, those can be found in any state within the international community, western states included. Although by definition, El Salvador, Guatemala, and Honduras are not classified as failed states, on a social level, internationally, they are treated as such. As seen through media, the region of Central America, has often been referred to as failed or corrupt states. Therefore, this paper will not refer to the Northern Triangle as failed states and will use terms based on the level of democratization as rated through the Democracy Index of Economist Intelligence Unit.

The Normativity of Existing Conditions

Central American states are often discussed in debates around immigration or security, as it stands many Central American states are attempting to re-imagine their role within the international community and how they are viewed. States such as El Salvador, Honduras, and Guatemala are inauspiciously represented within academic literature in reference to their failures or violence but rarely referenced as leaders in areas of human rights. This is an existing problem that is enabled through the community's hyper fixation on placing blame on singular actors, whether that be international institutions, non-governmental organizations, leading powers, or in this case: corruption. Such blame is made prominent in the literature around Central America and their handling of human rights issues. Kenneth Roth's take on the attack on human rights values and how rhetorical analysis demonstrates how the consensus is to solely blame states for failure to protect human rights is a purposeful tactic to release international institutions from taking blame or accountability.

Lack of Marginalized Perspective

The international community understands that the instability of the northern triangle can be traced to the instability of the states' government and their political affairs. This paper does not seek to excuse corruption, state-violence, gang-violence, or lack of economic prosperity from causing the refugee crisis. The gap in the literature is that the assessment on why humanitarian crises happen in regions like the northern triangle, is often blamed entirely on the causes mentioned previously. What the marginalized perspective is explaining or demanding is that we as academic scholars refrain from stopping at that conclusion, but to look at the systems in place that enable or lessen the capacity of cooperation at the international level to feasibly handle the multi-generational crisis at hand: the Central American refugee crisis. Invoking Ph.D. Jose Miguel Cruz, he clearly recognized that, "The tragedy of Central American children migrating and seeking refuge in the United States can be viewed as a consequence of the derailing of those institutional reforms that transformed autocracies into electoral democracies in the 1990s" (Cruz 43). What then can be said for the international community if the issue is misunderstood as just a state centric problem, when scholars from these regions are advocating that the problems stem from an institutional problem based on reform. Relating back to the hierarchy of human rights, the prioritization of certain human rights groups over others, is in effect defeating the purpose of the reformation within the United Nations to begin with.

c. Human Rights in time of Crisis: Central American Refugee

The Multigenerational Root Causes of the Refugee Crisis: Beyond Violent Framework

The notion of instability is not foreign to the Northern Triangle of Central America, as a region marked by a dark history of civil wars, corruption, and poverty. The region is also plagued by transnational organized crime groups, and their drug business operating through the region. The lack of security within the region is then at its peak when governments are unable to

deter the violence, “... What has changed is that the authority is less and less often that state” (Farah 90). Douglas Farah, fellow at the International Assessment and Strategy Center, explained the flow of cocaine through the region is attributed to, “...the growing chaos in Central America and the Northern Triangle is largely blamed for the historically high rates of homicide, kidnapping, extortion and government dysfunctionality” (Farah 90). These moving concepts of lack of sovereignty, out of state violence, regional instability, gang violence, and human rights violations are at the crux for understanding the root causes of migrations from the Northern Triangle region. This paper seeks to show that beyond the well-known MS-13 gang that operates within the region, there are other indicators of violence, whether from the government and transnational actors, and as such, the category of refugee should account to reflect that. Hence, the need to establish the many causes for migration that have led to the multiple caravans out of the region is an ongoing crisis.

The violence framework surrounding the Central American region, in particular gang violence often obscures the structural violence in place, a concept, defined by Kate Swanson from San Diego State University and Rebecca Marie Torres from the University of Texas of Austin, “*Structural violence* is a particularly useful concept for understanding the underlying socio-economic and political conditions that shape Latin America...” (Swanson and Torres 26). In their study, they focus on child migration and how structural violence their experiences as migrants are met with violence within their host countries, during their travel, and in countries of refuge. An important construction of blame is created on host countries, “Othering narratives which place the sole blame of child migration on” “those”” irresponsible, corrupt and violent societies foster an emotional detachment among sectors... which in turn reinforces damaging restrictive immigration policies and practices” (Swanson and Torres 28). This paper will

operationalize the recognition of structural violence, to seemingly ensure the inclusion of all three categories of human rights in the root causes for the 2018 Central American refugee crisis. The caravan is the start of the on-going mass exodus of migration from the region, internally displaced persons, and asylum seekers in neighboring states.

An underrepresented category in both human rights and causes for migration, is climate change. Climate change falls under the third category of human rights, referenced through the paper as solidarity rights. Within the Northern Triangle of Central America, the American Security Project released a report in 2019 highlighting the ramification climate change has had and will have on migration trends within the region. The region is facing unprecedented levels of drought and harm to agriculture, “The effects of climate change are worsening the underlying conditions in the Northern Triangle, intensifying food insecurity and undermining families’ livelihoods. Repeated droughts since 2014 have destroyed crops and resulted in levels of food insecurity previously unseen in the region...” (Sigelmann 1). The report noted that from 2002 to 2019, El Salvador had a 260% increase of people migrating from the country, Guatemala had a 800% increase, and Honduras had “nearly 500%” increase (Sigelmann 3).

At the start of mass resurgence of migration via caravans from the region, not only was there a shift in the sheer amount of people migrating, but the causes exasperating their need to migrate were shifting as well. It was no longer the case that migrants were fleeing purely just for fear of prosecution or non-state violence, but now they are also fleeing droughts, dead crops, and increased levels of heat. The report found that the impact climate change will have in the region moving forward boils down to two: “...decreased rainfall and increased temperature...Decreases in precipitation will reduce water runoff, leading to an increased risk of water supply shortages...In addition to placing stress on agriculture, increased heat is likely to have significant

human health effects such as increased heat-related diseases and vector-borne diseases” (Sigelmann 7). This paper seeks to place climate change within the conversation surrounding migration from the Northern Triangle region of Central America, seeing as though it plays a big role. Importantly, not separating it as its own category, whether it be as climate refugee, but rather integrated under the category of refugees that also account for persons fleeing their country due to fear of state prosecution.

Northern Triangle Refugee Crisis v. International Community / UN

Theorists Nora Hamilton and Nora Stolz Chinchilla explained, “...migration could be internal or international, cyclical, temporary, or permanent, voluntary, or involuntary, economically, or politically motivated... motivated by “push” factors in the country of origin or the “pull” factors in the receiving country, or the result of individual decisions or underlying structural conditions” (Hamilton and Chinchilla 75). The international community is aware that the causes for migration from the Central American region are often a mix of causes, ranging from violence to economic yet such complexity is being left out of academic and research spaces, “Central Americans, reveal that the lines of demarcation between the dimensions are rarely clear-cut, and this complexity is not being recognized in theoretical analysis” (Hamilton and Chinchilla 75).

Based on Hamilton’s framework for analyzing Central American migration, there is a need to account for environmental reasons as well. One of the forgotten causes of migration is due to climate change and instability, also categorized as third generation rights. It has become apparent that with so many reasons to flee, whether voluntary or forced, an equally multi-generational approach is needed to understand why states fail at aiding their migrant populations. Governments fail, such as the Northern Triangle governments, when they focus more on having

a good presence within the international community and receiving praise and approval from the United Nations, while simultaneously improperly handling the refugee crisis within the region. It is simply not enough to focus on gang violence when there is violence from: the government, possible host countries, fellow citizens, climate change, and systemic instability.

United Nations stance on Refugee Crisis

The United Nations has created a body within the Human Rights regime that focuses solely on Refugees and yet they have left out a generation of other people who suffer the same state within their definition of refugee. As mentioned before, the UNHCR's definition of refugee does not include asylum seekers, internally displaced persons, climate migrants, stateless persons, or others who need international protections. Confusion arises when the definitions and actions of the United Nations do not match up, as can be seen with their data collected. Under the data collection for refugees, data is also collected for the other listed categories, and yet they are not treated the same within the international community. Another inconsistency is the urgency from which certain regions receive support and exposure from the United Nations as opposed to others, and it comes down to the magnitude of refugee exodus by the region. The Central American Refugee crisis of 2018 is not viewed independently from the trends of migration throughout various decades from the region, and that causes an erasure of refugees in addition to the persons who are not included in the definition.

Categorization of Refugees

Although the United Nations High Commissioner for Refugees has over time expanded operations towards migration trends to account for more than just legally recognized refugees, the expansion does not legally bind the international community to granting migrants that classify as internally displaced, asylum seekers, and others of concern the same protection as

refugees. The 1951 Refugee Convention and the 1967 Protocol are the cornerstone for all things relating to refugees within the international community, In Article 1 defining, “A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” (The 1951 Refugee Convention). Due to the nature of the amendment with the 1967 Protocol, it had been the case where under certain circumstances, the definition has been adapted via interpretation of specific circumstances, such as the Organization of African Unity (OAU) Refugee Convention of 1969. The OAU added, “The term “” refugee”” shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order...is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality” (OAU Convention Governing the Specific Aspects of Refugee Problems in Africa).

Refugee

Jens-Hagen Eschenbächer invokes the addition of IDPS to the definition of Refugee to accurately engage with the refugee crisis, now why is it that I am operationalizing this definition in my own research? Being that I have established the issue of erasure the previous definition of refugee brings upon recognizing the third category of human rights, it’s only fitting to present an alternative definition that accounts for that erasure but without changing the core of what being a Refugee means legally. This definition is different in that it accounts for IDP in addition to internationally recognized refugees, but consistent with its boundaries in recognition with international law. This will be a distinct instance where I aim to challenge existing research in terms of the definition for refugee. I find it important to stress that I am using an expansion to the

internationally recognized definition of refugee that is applicable to the human rights categories I am examining. The alternative definition for refugee does account for how the United Nations High Commissioner of Refugees expanded operations to offer aid for differing groups of migrants, and thus in classifying all forms of displacement and migrations under the term refugee, will allow for the integration of unrepresented groups within the specific context of the refugee crisis from 2018 to 2022. The alternative definition is inherent to this paper for it allows more inclusion of migrants and displaced persons, for the methodology.

d. Institution v. States

Micro Linkage of State Relationship with Institution

Benedicte Bull's theory of Political Economy offers a theoretical framework for testing the relationship between the institution and the state, but on a national level. Within Central American states, as with all nations, there exists a disparity between the rich and the working class. The elite ruling class within Central America have immense influence over policy directly, commonly referenced as corruption within the international community. Bull discovered that the powerful within the nations of Central America were able to decide the importance of certain policies that benefited them, "A common conclusion of studies on Central America's democracies and political economy is that the weakness of institutions and the strength of the elites are a main reason for the region's problems" (Bull 117). If the link were to be expanded for the relationship between the United Nations and the world powers of the international community, the basis on which human rights, or rather which human rights are prioritized becomes clear. How then can it be expected that debates or voting within spaces such as the UN General Assembly of UN Security Council have the neutrality needed.

There exists connection between member state ambassadors, and their advocacy or reflection for resolution within the United Nations. Hence, ambassadors from smaller countries are not respected or trusted within the international community to speak on issues they suffer with, one of them being human rights. First is the classification of class, whereas from a political standpoint, it is rich versus poor, but from the United Nations perspective, it is developed versus developing. The idea of development and seeking improvement even if it comes at the cost of the marginalized in these countries, ex: refugees is an apparent characteristic of this theory that will help me in terms of analyzing and determining influence on policy to test whether such classification and language has influence over Northern Triangle approach to human rights. Thus, the concept of applying this micro link between the citizen and state to the relationship to state and institution is feasible. When it becomes apparent that the northern triangle states have attempted to adopt western practice and ideology to gain international recognition, it would be unjust to not explore the ramifications of that. Both Bull's theory of influence on policy and Pahuja's concept of economic vulnerability explains the destabilization of the region. This paper serves to connect the dots between the two, that it is not just a state's economic or regional instability but influence over the peer pressure to mimic the institution internationally.

4. Theoretical Framework

This section will outline how not to approach the refugee crisis in Central America and how this research paper will work against the colonial and oppressive narrative that prevents real growth or progress within the handling of human rights crises.

The notion of failed states has a unique distinction within the context of human rights, for it represents a state failed to protect or enforce human rights. Furthermore, it can worsen perceptions from the international community and the state is in turn not just viewed as a failure

but as a corrupt actor afterward. How uniquely this phenomenon is tested in the midst of human rights crises, such as the Central American Refugee Crisis. All this to say that I am continuously referencing the use of specific rhetoric, concepts, and policies because the method of understanding how or better yet why they are chosen is imperative to answering my research question. Essentially, beyond my two core arguments, I am making the underlying argument that the rhetoric and terminology used or imposed by authoritative human rights actors influence not just state perception about these human rights generation but their actions towards them as well. That is where the problems are made apparent in the action, but my research aims to create and make the link between influence and action on both the theoretical and practical levels.

Although the hierarchy of rights is prominent within the human rights community, such hierarchy must not be confused with the legal foundations to the creation of the Universal Declaration of Human Rights, adopted on December 10, 1948, in Paris. Theorists, such as Meron, pointed out that the legal foundation established was used to distinguish between categories of rights. That distinction is enough to set a precedent of fundamental versus ordinary rights. Such is the case that regardless of the interpretations and levels of prioritization, it must not be confused with legal notions enacted within humanitarian law and international criminal courts, for the human rights norms within the conventions are not legally binding but rather ratified and contingent on respect from member states who signed and ratified. Thus, there is no hierarchy between the validity across the three generations of human rights, as established by the United Nations through their respective conventions. This paper is not questioning the establishment or validity across human rights but rather the hierarchy established through their interpretation at the institutional and state level.

5. Argument

I am arguing in two parts, the first, prioritization from institutional interpretation negatively impacts the state's approach towards human rights crises and second, it makes it difficult for both states and institutions to curtail the Central American Refugee crisis effectively. Due to the prioritization of certain rights over others within the United Nations and the hyper fixation on gang violence in Central America, northern triangle states are not prepared or supported adequately to handle human rights crises such as the refugee crisis. The Human Rights regime is filled with biases and interpretations on what is deemed fundamental and that shapes how actors are viewed in response to their response concerning human rights issues. From what states say to what they write in laws, everything is scrutinized, and judgment is then given from the human rights community. For states that want to maintain good relations with neighboring states or who want to raise up the ranks in development – being recognized as morally good within the human rights regime is one of the top goals.

Hence, when such importance is placed on how states are perceived internationally, in the setting of the United Nations, an internationally respected institution – states become member states to appear aligned with the authority that is the UN. This is where the concepts of “relative normativity”, political economy, and “the split” combine with the existing conditions. The hyper fixation on gang violence is an issue of colonialism and must be de-centered, for it makes it impossible for the international community to engage with the Northern Triangle in other conversations such as its relationship with international institutions. The concept of regionalism and global international relations provide the adequate tools in analyzing the Central American refugee crisis by examining the countries independently in addition to their relationship with the United Nations. Only in that way, will the link between the institution and state be adequately tested.

6. Methodology

The question this paper seeks to answer is: How has the United Nations' prioritization of certain human rights impacted Central America's approach towards the Refugee Crisis? I theorize that due to the United Nations prioritization of 'fundamental' human rights, such as first generation rights (Political and Civil Rights) over ordinary rights, such as secondary (Economic, Social and Cultural) and third generation rights (solidarity rights), it has negatively impacted how Central American states approached the multi-generational Central American refugee crisis. The research design for this paper will be in two parts: the first will center on a United Nation's Discourse Analysis and the second will be country case studies. The former will focus on an in-depth examination of United Nations declarations, conventions, covenants, and treaties and it will test the existence of the following theme: hierarchy of human rights. Whereas the latter, country case studies will compare El Salvador, Guatemala, and Honduras policy, speeches, and population trends with United Nations' speeches to test whether a link exists between the United Nations and Northern Triangle States on the topic of Refugees.

I chose a qualitative research approach because the concept of hierarchy is embedded heavily within rhetoric and its implications can only accurately be examined through an in-depth discourse, treaty, and speech analysis. This approach will also use quantitative characteristics in identifying population trends within the country case studies to accurately see if prioritization language has an impact on the refugee population. Hence, the use of population trend examination has been adapted to work with the qualitative approach of this research. Data for this research was collected over a period of a few months and compiled in an excel sheet, sectioning the data by type: United Nations, Country Case Studies, and Northern Triangle Population Trends across the years 2018-2022. The five-year period was decided in concurrence with the resurgence of Central American caravans in 2018 and the following years to adeptly

cover the impact. United Nations texts were compiled from the United Nations Depository of its Treaty Collection. For this methodology, only texts that covered human rights or refugees were collected.

For the country - case studies, statements were collected from official government websites and policy pieces were collected from the Migration Policy Institute. Each country's regime type was sourced from the Democracy Index published by the Economist Intelligence Unit (EIU) across all 5 years. The Democracy Index assigned both a classification and a score across 167 countries covered by the index. Only four possible classifications could be assigned: “full democracy, flawed democracy, hybrid regime, or authoritarian regime” (Democracy Index 2020).

Concerning population trends, data was sourced from UNHCR datasets for the refugee population of each respective country. The UNHCR was selected for this study because their population trends across the years of 2018-2022, include refugees, asylum seekers, returned refugees, internally displaced persons, stateless persons, and other people in need of protection (United Nations High Commissioner for Refugees).

Some important data definitions:

The EIU, uses a scaling system from 0 to 10, “...based on the rating from 60 indicators, grouped into five categories: electoral process and pluralism; civil liberties; the functioning of government; political participation; and political culture... the Index is the simple average of the five category indexes” (Democracy Index 2022). Seeing as though all three states fall under the classification of hybrid regime, the Democracy Index of 2022, defines the term, “Elections have substantial irregularities that often prevent them from being both free and fair. Government pressure on opposition parties and candidates may be common. Serious weaknesses are more

prevalent than in flawed democracies - in political culture, functioning of government and political participation. Corruption tends to be widespread, and the rule of law is weak. Civil society is weak. Typically, there is harassment of and pressure on journalists, and the judiciary is not independent” (Democracy Index 2022). Such classification considers more indicators than organizations such as the IMF and I find, accurately describe, and categorize states. Such classification will clarify the state's approach towards human rights crises such as the refugee crisis.

In UNHCR’s data collection they define refugees, “Persons in need of international protection comprises prospective asylum - seekers, asylum - seekers, recognized refugees and persons with complimentary, subsidiary and temporary forms of protection, and others in refugee-like situations” (United Nations High Commissioner for Refugees). A newer category was established mid 2022, for the other people in need of international protection, “... refers to people who are outside their country of territory of origin, typically because they have been forcibly displaced across international borders, who have not been reported under other categories but who likely need international protection against forced return... (United Nations High Commissioner for Refugees). Internally displaced persons are defined, “...people who have been forced to leave or abandon their homes, and who have not crossed an internationally recognized border” (United Nations High Commissioner for Refugees). Stateless people reference the, “working definition of a person who lacks proof of possession of any nationality and who has or is perceived as having links to a State other than one he/she is living in...” (United Nations High Commissioner for Refugees). Seeing as though this dataset is all inclusive of all types of persons who migrate or are internally displaced, it would effectively test whether the link between the UN and Northern Triangle states negatively impacts refugee trends.

a. United Nations Discourse

AI: Declarations

The Universal Declaration of Human Rights is the godmother of all things human rights related, being that it outlines the full collection of human rights of that time, and it was “proclaimed by the United Nations General Assembly in Paris on 10 December 1948 as a common standard of achievements for all people and all nations. It set out for the first time, fundamental human rights to be universally protected...” (Universal Declaration of Human Rights). To truly test whether the United Nations used preferential language when declaring the norms of which member states were under obligation to adhere to, an examination of the Declaration’s use of two concepts: fundamental and respect, is essential.

1. “Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom” (Universal Declaration of Human Rights).

Within the Preamble of the Declaration, the concept of “fundamental human rights” was used to reference the purpose of the declaration. There was no reference made to any set of human rights, whether first, second, or third. Rather, reference was made to classify how inclusive said fundamental rights apply to all human persons, regardless of gender.

2. “Whereas Member States, have pledged themselves to achieve, in co-operation with the United Nations, to promotion of universal respect for and observance of human rights and fundamental freedoms” (Universal Declaration of Human Rights).

This section introduces the notion of fundamental freedoms, in connection to member states, and their relationship with the United Nations. Yet, no reference was made to a distinct generation or type of human rights.

3. “Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all people and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the people of Member States themselves and among the people of territories under their jurisdiction”
(Universal Declaration of Human Rights).

In the concluding section of the Preamble, name actors within the human rights regime, ranging from individuals to “organs of society” and the mechanisms available to ensure respect of rights, presumably, human rights. Distinction was made in applying said rights toward “people” within Member States, instead of “citizen”, and the inclusion of “people of territories under their jurisdiction”.

4. Article 8, “Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by constitution or by law” (Universal Declaration of Human Rights).

Article 8 is the first instance, “fundamental right” was referenced in the list of Articles listed through the Universal Declaration. The only preferential language was used in gendering the person, of whom would be afforded an effective remedy but not in categorizing said fundamental right under any generation of human right.

5. Article 26, section 2, “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace” (Universal Declaration of Human Rights).

Article 26 characterizes education as a mechanism of which respect for fundamental freedoms shall be fulfilled, and similar respect for human rights. There are two instances of identifying general human rights, within reference of “racial or religious groups” and “peace”. The reference to “peace” and the need to maintain it, is in reference to the third generation of human rights, solidarity rights. Solidarity rights specify peace, development, and a protected environment. No other instance of preferential language was used toward first- or second-generation rights.

A2: Covenants, Conventions, and Treaties: Instances of reference to “fundamental” and “respect”

Covenants, Conventions and Treaties within the United Nations fall under the same purpose, in that they are binding agreements between member states that sign them and thus are held to high regard internationally. They are referenced when discussing human rights because they provide legal and general guidance on how to address human rights violations or promote human rights.

The International Covenant on Economic, Social and Cultural Rights was adopted on December 16, 1966.

The covenant reflects the second generation of human rights.

1. Article 5, section 2, “No restriction upon or derogation from any of the fundamental human rights recognized or existing in any country in virtue of law, conventions, regulations or custom shall be admitted on the pretext that the present Covenant does not recognize such rights or that it recognizes them to a lesser extent” (International Covenant on Economic, Social, and Cultural Rights).
2. Article 6, section 2, “The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual” (International Covenant on Economic, Social, and Cultural Rights).

Article 5 references fundamental human rights and establishes that no other legal body can assume lack of priority given to fundamental rights, in attempts to restrict them. No specification of type of right was established nor preferential language was applied to any of the three types of human rights. Article 6, references first and second-generation rights but uses preferential language to address first generation rights, “fundamental political freedoms to the individual.”

The International Covenant on Civil and Political Rights was adopted on December 16, 1966.

The covenant reflects the first generation of human rights.

1. Article 5, section 2, “There shall be no restrictions upon or derogation of any of the fundamental human rights recognized or existing in any State Party to the present Covenant human rights recognized or existing in any State Party to the present Covenant pursuant to law, conventions, regulations or custom on the pretext that the present

Covenant does not recognize such rights or that it recognizes them to a lesser extent”
(International Covenant on Civil and Political Rights).

2. Article 18, section 3, “Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by the law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedom of others” (International Covenant on Civil and Political Rights).

Article 5 of the Covenant on Civil and Political Rights references the category of rights found within the Covenant as fundamental human rights. Article 18 makes reference to the singular right of religious expression in the ability for states to limit said human rights if it would protect the “morals” or “fundamental right” of others. Both Articles talk about fundamental human rights, but the former expresses merit of classification with first generation of rights, as opposed to preferential. Whereas Article 18, discusses fundamental rights in relation to international actors.

The United Nations Framework Convention on Climate Change

No direct reference to “fundamental” rights were found within the Convention on Climate Change, but excerpts were found based on human rights categories.

1. “Acknowledging that the global nature of climate change calls for the widest possible cooperation by all countries and their participation in an effective and appropriate international response, in accordance with their common but differentiated responsibilities and respective capabilities and their social and economic conditions,” (UN Framework Convention on Climate Change).
2. Article 3, section 1, “The Parties should protect the climate system for the benefit of present and future generations of humankind, based on equity and in accordance with

their common but differentiated responsibilities and respective capabilities. Accordingly, the developed country Parties should take the lead in combating climate change and the adverse effects thereof” (UN Framework Convention on Climate Change).

Within the Acknowledgement of the Convention on Climate Change, preferential language such as “accordance with” and “respective” were used towards social and economic, which fall under the category of second-generation rights. On the other hand, preferential language was invoked within Article 3, concerning the third generation of human rights. Article 3 also used preferential language in distinguishing “developed country” as states qualified to lead in the fight against climate change.

The Convention Relating to the Status of Refugees was adopted by the United Nations on July 28, 1951.

The Convention reflects the rights of refugees which are pertinent to the Central American refugee crisis of 2018. It covers the basis of defining Refugees while simultaneously discussing stateless persons, asylum seekers, and internally displaced persons.

1. Preamble, “Considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,” (Convention Relating to the Status of Refugees).
2. Preamble, “Considering that the United Nations has, on various occasions, manifested its profound concern for refugees and endeavored to assure refugees the widest possible exercise of these fundamental rights and freedoms,” (Convention Relating to the Status of Refugees).

3. The Conference, “Considering that the unity of the family, the natural and fundamental group unit of society, is an essential right of the refugee, and that such unity is constantly threatened...” (Convention Relating to the Status of Refugees).

Both considerations within the Preamble make use of the term, “fundamental rights” and “freedoms”, yet only the second Preamble used preferential language towards refugees as the recipients of fundamental rights. The conference made note of different actors within the international community, and used preferential language such as, “essential rights” for refugees.

A3: Speeches

On behalf of the United Nations, individuals with expertise in areas around human rights, Central America, and refugees are invited to speak at United Nations committees, meetings, conferences, and more. The process of vetting speakers for each respective setting is not the same and changes depending on the UN body. Vetting speakers can range from letting member states choose their speaking representative through any method of their choice to the opposite experience of providing a prepared text for review before presenting a speech. In 2018, Dr. Carissa Etienne, Director of the Regional Bureau for the Americas gave a presentation at the UNHCR Standing Committee.

Civil society organizations are increasingly providing legal counseling and representation to asylum seekers and refugees through the creation of a regional network with the support of the Inter-American Institute of Human Rights. Political will and State actions notwithstanding, protection mechanisms and social services in Central American countries are over stretched. Countries need the support of the international community to complement their efforts aimed at providing protection and solution responses, and to

achieve the desired impact, as part of the integrated approach envisaged in the Global Compact on Refugees... it is crucial to continue advancing on the adoption of public policies for the effective inclusion of refugees and stateless persons. The most tangible example from the region is the *Cities of Solidarity* initiative to give due recognition and support to local municipalities... when it comes to socioeconomic and cultural inclusion and solutions for refugees and migrants alike. UNHCR calls on the Americas region to raise your voices and share your good practices so they can be replicated in other parts of the world (UN High Commissioner for Refugees (UNHCR)).

Throughout the speech, Dr. Etienne invoked strong language towards presenting the pressure behind her address and making a call to action because of it. She used words such as, “crucial”, “effective”, and “increasingly”. The speech focused on asylum seekers, Central America, and refugees in relation to the work the international community and particularly, “UNHCR” have taken as active actors. Preferential language was used to highlight the second generation of human rights and their “integrated approach” towards refugees.

António Guterres, Secretary-General of the United Nations addressed the UN General Assembly in 2018, in which he discussed the future of humankind and human rights issues across all categories of human rights.

Together, as guardians of the common good, we also have a duty to promote and support a reformed, reinvigorated and strengthened multilateral system. And we need to show the added value of international cooperation by delivering peace, defending human rights and driving economic and social progress for women and men everywhere.... Far from being a fundamental threat to the economy, climate action is generation new industries, new markets, more jobs and less dependency on fossil fuels. Inequality is undermining faith in

the social contract and is a clear obstacle to the achievement of the Sustainable Development Goals... Migrants and refugees continue to face discrimination and demagoguery in the context of clearly insufficient international cooperation... As the politics of pessimism spreads, we must guard against self-fulfilling prophecies... Those who see their neighbors as dangerous may cause a threat where there was none (Guterres).

Guterres used rhetorical devices such as repetition and analogies around human rights across all three categories. He used words such as “inequality”, “undermining”, “guardians”, and “duty” in conversation with the role of the United Nations, establishing agency of influence throughout the speech. Although all three categories of human rights were mentioned, only the third generation of human rights were addressed as being a “fundamental threat”.

b. Country Case Studies

The migration crisis within Central America’s Northern Triangle is paramount in that it is ongoing. This case study will include all categories of migrants under the term refugee, and adapt the UNHCR's data to include refugees, internally displaced persons, asylum seekers, and others of concern. The main reasons for migration are multi-generational, “People face immense challenges: economic slowdowns make it difficult to meet the most basic needs, like buying food or accessing health care; violence levels are rising... and natural disasters leave behind more severe impacts every time” (Crisis Watch). El Salvador, Guatemala, and Honduras have poverty rates across, 29.2%, 59.3%, and 61.9% respectively (Sigelmann 4). Such is the situation within the Northern Triangle that a look into politician correspondence, speeches, and policy will test the disconnect between what is happening in the region and what is being discussed in front of the United Nations. A close examination of the refugee policies within each state is important

because the definition of refugee used in this paper and for the methodology include internally displaced persons in addition to migrants also seeking asylum within their respective sister country within the Northern Triangle itself.

B1: El Salvador

The Republic of El Salvador has a tough history with human rights violations and regional instability, and as such, the Democracy Index has classified the state's government as a hybrid regime throughout: 2018,2020,2021, and 2022. Except for 2019, where the government of El Salvador was classified as a flawed democracy. The Migration Policy Institute (MPI) published a working paper centered around the legal migratory framework of El Salvador. El Salvador's policy framework is as follows:

The Salvadoran immigration system derives from the National Constitution, the international treaties ratified by El Salvador, as well as the Special Law on Migration and Foreigners and its regulations, and the Organic Law of the National Civil Police.

Humanitarian protection and refugee matters are outlined in the Law for the Determination of the Status of Refugees and its regulations. Anything related to actions against human trafficking is established in the Special Law against Human Trafficking, its regulations, and the International Action Protocol for the Immediate Comprehensive Care of Victims of Human Trafficking of 2018. Finally, there do not appear to be specific regulations in El Salvador on the matter of statelessness (Pikielny and Mora 2).

Such legal frameworks listed six different policies used by the state's government.

Among the six policies, there is a lack of regulations for climate change and statelessness.

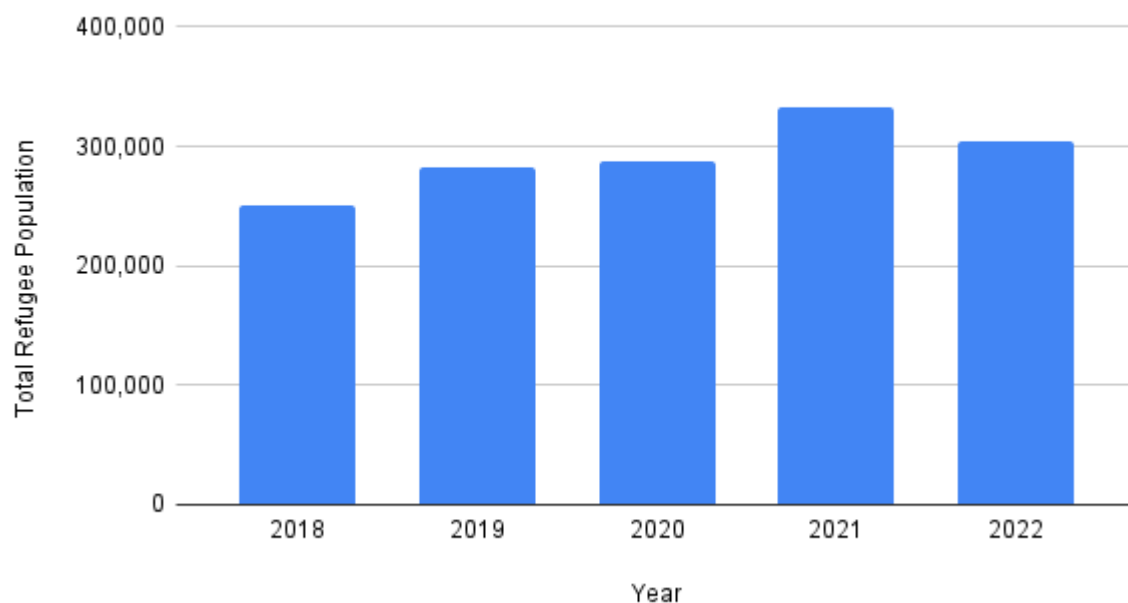
The goal of the policy is centered around issues of migration and considering refugees, humanitarian protection, and human trafficking. In addition, the referenced themes are

accompanied by additional protocols. In connection to the legal framework towards migration of El Salvador, its refugee population shows the continual increase in its refugee population.

Across the years, 2018 to 2022, El Salvador has seen a fluctuation in refugee population, in 2018, a total of 250,619 refugees; in 2019, a total of 282,785; in 2020, a total of 286,908; in 2021, a total of 332,370 and in 2022, a total of 304,103 as seen in (figure 1).

Figure 1: Total Refugee Population from El Salvador between 2018-2022

Total Refugee Population vs. Year: El Salvador



Source: UNHCR Refugee Statistics, Asylum seekers, internally displaced persons, refugees and other persons of concern to UNHCR from Guatemala, Honduras and El Salvador, UNHCR 2001-2023.

- a. Note: Data was only collected from 2018 to 2022 and used to create the figure via google excel sheets

In 2018, of the 250,619 refugees: 119,271 were asylum seekers, 71,501 were internally displaced persons, 27,285 were others of concern, and only 32,562 were internationally recognized as refugees. The leading country of asylum was the United States of America, followed by El Salvador and Mexico (UNHCR “Refugee Statistics”). Compared to 2022, of the 304,103 refugees: 151,770 were asylum seekers, 71,500 were internally displaced persons, 26,056 were others of concern, and 54,777 were internationally recognized as refugees. The leading country of asylum was also the United States of America (UNHCR “Refugee Statistics”). The International Organization for Migration, “... conducted a survey of a Salvadoran “caravan”: nearly 52% cited economic opportunity as their reason to migrate, 18% cited violence and physical insecurity, 2% cited family reunification, and 28% cited a combination of factors” (Sigelmann 4).

Amidst the refugee crisis, the government of El Salvador put out a city declaration on December 8, 2020,

Deeply concerned that the COVID-19 pandemic has disproportionately impacted populations in vulnerable situations, such as asylum seekers, refugees, returnees and displaced persons in need of protection and their families, unaccompanied and separated children and adolescents, family groups, victims of sexual and gender violence, LGBTI persons, victims of human trafficking, women, indigenous people, migrants, afro-descendants, persons with disabilities, older persons and stateless persons, among others, further aggravating their particular situation and limiting access to the exercise of their human rights...Call on the international community including the MIRPS Support Platform member countries, the international and regional financial institutions, as well as existing bilateral and multilateral support mechanisms, civil society and the private

sector to protect and assist refugees and support host countries and communities, as well as to contribute with the countries of origin and destination to address jointly, in accordance with the principles of burden-sharing responsibility, the structural causes of displacement and the search for alternatives for the integration and inclusion of the populations of interest in this particular context of the COVID-19 pandemic (Americana-Miscellaneous).

The Republic of El Salvador put out a statement acknowledging the impact COVID-19 is expected to have on all classification of migrants. Clear distinctions were made between the type of migrants, ranging from asylum seekers to displaced persons. The correspondence called to action the international community, and asked for support for MIRPS. The same coalition El Salvador joined, that same year, 2020.

In addition to the refugee population trends steadily increasing, El Salvador's President, Nayib Bukele addressed the UN General Assembly in 2021,

I've come here to talk about freedom. The freedom yearned for by my people and all the people of the world. The thing is freedom is a concept that is so easy to say but it requires struggles and perseverance and numeral sacrifice to become a reality. The freedom to choose where we are going and how we want to go there. The freedom to set our course as human beings but being free as much defines it, depends on how we are seen by others but above all how we see ourselves. Therefore, in addition to deciding that we want to be free, it's an indispensable requirement for the powerful to respect our freedom. I come from a people that for a long time saw itself as less than others. I come from a people where we never had the courage to make our own decisions. I come from a people where our fate was always controlled by others. I come from a people that is only a master of

the smallest country on the American continent and even this small piece of land... is not respected by countries that have a great deal more territory than us, much more money, much more power (Bukele).

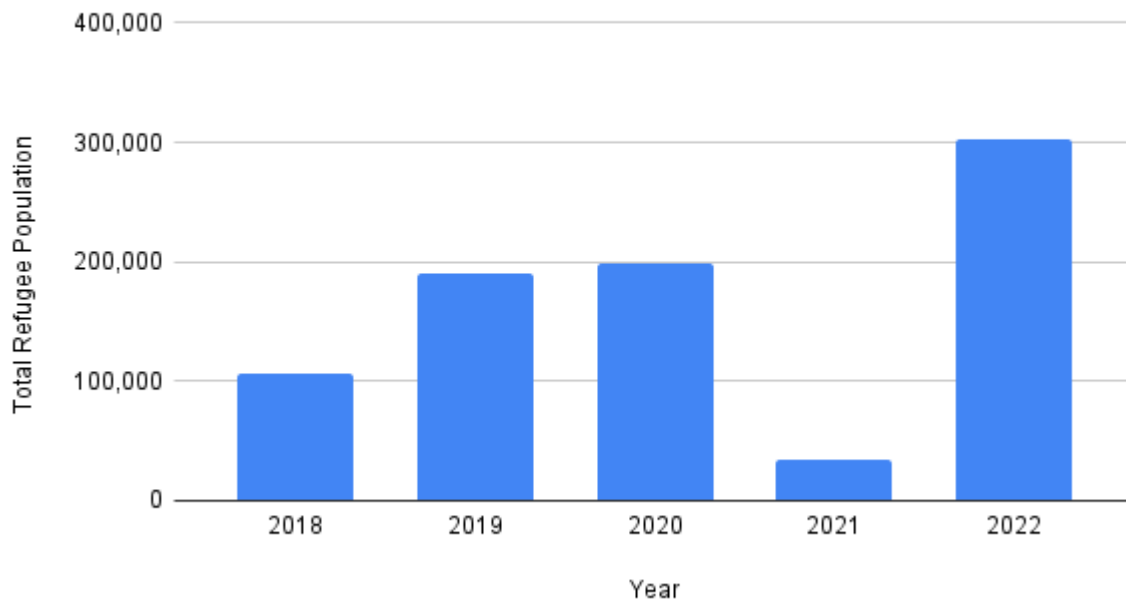
President Bukele used the rhetorical approach of repetition to get the importance of freedom, of which he used metaphors connected to other periods of crisis within the international community. He also centered the conversation around the concept of freedom and how powerful nations still have trouble respecting the wants, needs, and ideas of a small country like El Salvador, referencing the previous experience for the nation to rely on the international community to decide what was best for human rights. Emphasis was heavily placed on the international community and their perspective on El Salvador.

B2: Guatemala

The Republic of Guatemala was classified under Hybrid Regime, from 2018 to 2022 by the Democracy Index. Between 2018 and 2022, Guatemala has faced an unstable increase in refugee population, in 2018, a total of 106,027; in 2019, a total of 190,127; in 2020, a total of 197,919; in 2021, a total of 336,810 and in 2022, a total of 302,535 as seen in (figure 2).

Figure 2: Total Refugee Population from Guatemala between 2018-2022

Total Refugee Population vs. Year: Guatemala



Source: UNHCR Refugee Statistics, *Asylum seekers, internally displaced persons, refugees and other persons of concern to UNHCR from Guatemala, Honduras and El Salvador*, UNHCR 2001-2023.

- a. Note: Data was only collected from 2018 to 2022 and used to create the figure via google excel sheets

The Crisis

Concerning Guatemala in 2018, of the 106,027 refugees: 86,875 were asylum seekers, 0 were internally displaced persons, 24 were others of concern, and only 19,128 were internationally classified as refugees. The leading country of asylum was the United States of America, followed by Mexico and Belize (UNHCR “Refugee Statistics”). By contrast, in 2022, out of 302,535 refugees: 162,785 were asylum seekers, 0 were internally displaced, 111,329 were others of concern, and 28,421 were internally recognized refugees. The leading countries of

asylum were the United States of America, Guatemala, and Mexico (UNHCR “Refugee Statistics”).

Because of the instability with refugee population trends, Pikielny et, al. explains Guatemala’s legal framework,

The Guatemalan legal migratory system derives from what is established in the National Constitution, the international treaties ratified by Guatemala, ... the Migration Code and its regulations, the Internal Regulatory Organic Law of the Guatemalan Migration Institute and the Law of the National Council for Migrant Assistance... the legal framework includes the Regulation of Ordinary Migration Status of the Guatemalan Migration Institute... the Regulations for the Protection and Determination of Refugee Status... the legal framework related to the protection of minors is established in the Law for the Comprehensive Protection of Children and Adolescents... there do not appear to be specific regulations on political asylum and stateless protections (Pikielny et,al. 5).

The Republic of Guatemala’s legal framework is robust in the area of refugee protections and identifications. Its legal framework does not have comprehensive policies to address regulations around matters of persons seeking political asylum or who are determined stateless. Of the 6 listed policies, only one addresses refugees by specialty. The other four policies focus on the issues of migration in general, and one other is specialized in the context of children and adolescent migrants.

The Guatemalan diplomat, Sandra Erica Jovel Polanco, released a statement in response to the 2018 Central American caravans, through the Ministry of Foreign Affairs,

The Government of Guatemala, through the Ministry of Foreign Affairs, communicates that in view of the news of new caravans of Honduran and Salvadoran brothers heading to the United States of America, it reiterates that it respects the human right of every person to migrate: however, it urges that the migration be carried out in a safe, orderly and regular manner. The Government of Guatemala through the Ministry of Foreign Affairs in coordination with State bodies involved in the migration issues will be vigilant of the protection and respect for national and international legislation in this matter, safeguarding the human rights of each migrant as well as ensuring always for not jeopardizing the national security of the State and the integrity of its inhabitants, a situation for which the different borders of the country have been reinforced (The Republic of Guatemala).

Polanco made references to the migration crisis in 2018, through acknowledgment of the mass exodus of caravans from the northern triangle region. On behalf of the government, Polanco makes emphasis on the safety of migrants on their journey and yet does not call for the end of caravans. Polanco also lists the United States as the intended host country for the caravans and emphasizes the respect for migrants. The official announcement uses strong language such as, “vigilant”, “safeguarding”, “ensuring”, and “reinforced” in relation to the positionality of Guatemala in the conversation surrounding migration. No reference is made to classifying the caravan as any other classification, other than migrant.”

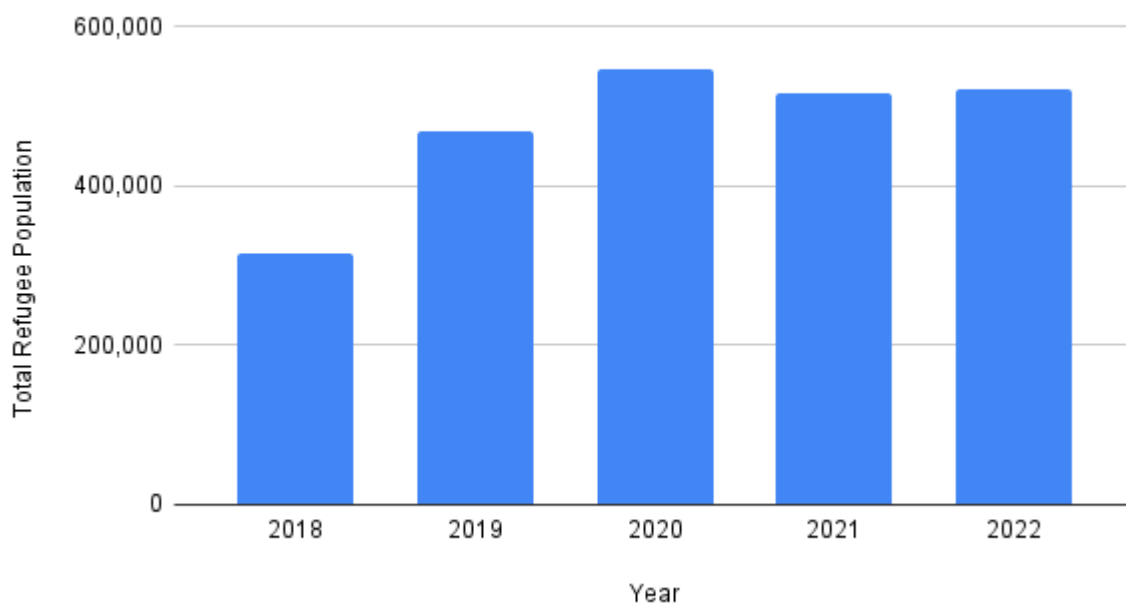
B3: Honduras

Honduras is the country with the highest creation of refugees within the Northern Triangle from 2018 to 2022 and additionally was classified under Hybrid Regime for that period

by the Democracy Index. Reflective of its hybrid regime classification, Honduras has a big increase in its creation of refugee population. In 2018, Honduras total refugee population was 315,802; in 2019, it was 468,758; in 2020, it was 546,048; in 2021, it was 517,697, and in 2022, it was 522,720 as seen in (figure 3).

Figure 3: Total Refugee Population from Honduras between 2018-2022

Total Refugee Population vs. Year: Honduras



Source: UNHCR Refugee Statistics, *Asylum seekers, internally displaced persons, refugees and other persons of concern to UNHCR from Guatemala, Honduras and El Salvador*, UNHCR 2001-2023.

- b. Note: Data was only collected from 2018 to 2022 and used to create the figure via google excel sheets

The Crisis

Within Honduras during 2018, of the 315,802 refugees: 76,526 were asylum seekers, 174,001 were internally displaced persons, 46,419 were others of concern, and only 18,857 were

internationally classified as refugees. The leading countries of asylum were Honduras, the United States of America, and Mexico (UNHCR “Refugee Statistics”). Compared to 2022, of the 522,720 refugees: 181,038 were asylum seekers, 247,090 were internally displaced persons, 37,100 were others of concern, and 57,492 were internally classified as refugees. The leading countries of asylum were Honduras, the United States of America, Mexico, and Guatemala (UNHCR “Refugee Statistics”).

Throughout the time of the resurgence of Central American refugees in high volumes, Honduran president Xiomara Castro addressed the 77th UN Assembly,

It is impossible to understand the Hondurans and the large caravans of emigrants without recognizing the context of cruel suffering that we have had to go through. But electoral democracy is not enough to obtain the material and spiritual well-being of our people. Thirteen years of dictatorship protected by the international community, led the country to multiply its public debt by six times, and reach a 74% poverty rate, the highest in the history of Honduras. Five out of ten of my compatriots live in extreme poverty. But I am clear that none of these figures impress anyone in a world that today lives under a monetary dictatorship, that draconian measures of fiscal discipline are imposed on the poorest, that increases the suffering of the most neglected...(Castro).

President Castro uses statistics combined with strong anecdotes, to correlate the dire state of which the country was left after a twelve-year-old dictatorship. She also claimed the dictatorship lasted as long as it did, due to the protection allotted by the international community and the existence of monetary dictatorships. Such analogies are used to illustrate the disparity between the lived reality of people within Honduras and the International Community that

prioritizes development to such high regard, that failure to meet them, will bring about more, “suffering of the most neglected” (Castro).

Concerning the state’s legal framework,

The general Honduras legal system on migration derives from the constitutional framework comprising chapter two of the Political Constitution of Honduras, the Honduran Law of Migration, and Foreign National and its 2004 regulation, the executive decree that established the National Institute of Migration, and its amendment. Regarding the regulations of humanitarian protection, migrant children are protected by the Declaration of Humanitarian Emergencies, while matters related to human trafficking can be found in the Law against Human Trafficking and its regulation. Finally, regarding the protection on refugee, asylum seekers, and stateless people, there seem to be no specific regulation on these matter in Honduras (Pikielny and Mora 3).

The Government of Honduras legal framework is mainly founded on executive decrees and declarations, there are limited laws that cover the category of refugee specifically. As seen by their policies listed, the Honduran government has a generalized approach toward migration, without focusing on establishing policies for refugees, asylum seekers, and stateless persons. Honduras legal framework towards migration is small compared to its neighboring countries, El Salvador, and Guatemala.

c. Analysis

Looking into their categorization within the international community, such as status, respectability, and influences will help understand the impact the United Nations has had on the Northern Triangle. For example, the IMF, considers all three countries, “developing” on the basis of their economic success, and thus the human rights international community addresses

them as such, “developing”, which goes hand in hand with the categorization of “failed states” interchangeably used by the rest of the community. The Republic of El Salvador and Guatemala had similarities in their approach towards migration from a policy standpoint, in that they also did not have any policies that included asylum seekers or stateless persons under their classification of refugee, which is reflective of United Nations exclusion of the two groups and more under the definition of refugee. The influence over policy can be seen through each country’s political speeches given in the presence of the United Nations, where emphasis is placed heavily on successes. The United Nations, expand their definition of refugee to account for internally displaced and others of concern, yet only in operations not in the legal definition, As seen within their respective speeches and announcements, El Salvador heavily focuses on the need to demand respect from the United Nations and international great powers. Only mentioning the migration crisis from the region, directly in 2020, when they joined MIRPS. Similarly, Guatemala’s announcement showed a lack of identifying the 2018 migrant caravans for what they were, a refugee crisis, consistent with the UNHCR scope of its classification of the caravan.

The Northern Triangle is made up of three countries: El Salvador, Guatemala, and Honduras. All of which are classified as “Hybrid Regimes” under Democracy Index. Meaning, they are part of the 36 of the 167 total countries that are classified as hybrid. Of the three countries, Honduras has created the largest number of refugees from the region, yet the state has the least number of policies concerning migration or refugees. The newly elected President of Honduras expressed her frustrations with the international community and the United Nations General Assembly, in failing to understand the severity their judgment and lack of support has had on the nation. President Castro directly points towards the human rights international

community in enabling the previous twelve yearlong dictatorship and in the same breath shame Honduras for the large amounts of refugee population leaving the country. The connection being that both the refugee population increasing, and the lack of international support are direct outcomes of the focus international institutions have taken towards human rights. Reflecting the emphasis, the United Nations and the international community go through to label Honduras as unstable while also not providing legal aid in handling the migration crisis or dealing with the dictatorship. The impact is so entrenched that the policy of Honduras reflects the period of confusion, in that they do not have policies that address nor recognize the migration caravans of 2018, as a refugee crisis. It is through speech analysis that it becomes apparent the influence of interpretation the United Nations speeches have had on national policy within El Salvador, Guatemala, and Honduras via which trends of migration to focus on and emphasis on regional cooperation.

7. Findings

Sections A1-A3: Through an in-depth examination of United Nations Discourse, this paper concludes that across A1 - A2, there is no hierarchical categorization across the three categories of human rights. Subsequently, concerning A3, there are hierarchical interpretations across the speeches between the three categories of human rights.

Sections B1-B3: Through an in-depth case study of El Salvador, this paper concludes that across speeches and correspondence, there is an emphasis on United Nation concerns for the region, proving influence over how to address the refugee crisis. Through an in-depth case study of Guatemala, this paper concludes that across speeches and correspondence, there is an emphasis on United Nation concerns for the region, proving influence over how to address the refugee crisis. Through an in-depth case study of Honduras, this paper concludes that across

speeches and correspondence, there is an emphasis on United Nations concerns for the region, proving influence over how to address the refugee crisis. To note that the influence is shown through political response from the countries concerning refugees, in showcasing progress and a fulfillment of United Nations ideals, as interpreted by their ambassadors, speakers, and bodies of writing.

This paper concludes that there is no direct correlation between the bodies of writing of the United Nations and policies created by the Northern Triangle states in reference to the 2018-2022 refugee crisis. This paper does conclude that instead of a direct link between the institution and the state's policy, there exists a link between speeches from both UN and states. Showing the influence in approaches and attitudes towards the refugee crisis from the years 2018-2022. As seen through the examination of ambassadors, diplomats, politicians, and presidents across both the UN and each state.

Implications

These findings suggest that a legal framework towards human rights is more equitable than the existing conversation around the United Nations and the three states in reference to the refugee crisis. Meaning, as seen within the methodology, United Nations texts on their own do not create a hierarchy between the three generations of rights, but rather the biases of interpretations from the individual who have given speeches and the response from the member states. On the other hand, United Nations speech analysis rendered the existence of a hierarchy between rights, because of emphasis, language choice, and rhetorical devices.

The significance of these findings is in acknowledging the impact the United Nations has on member states, such as those within the Northern Triangle, regardless of if the foundation

were neutral and as such, these results hold implications for the concept of human rights regime on levels of theoretical, practical, political, and social. On the theoretical level, state's harbor resentment towards both the United Nations and international community for their shaming mechanisms. When attempting to advocate human rights, states such as Honduras, view such mechanisms as counterproductive or worse, harmful.

A key area emerging from the current results is that the role preferential language plays on state actors within the human rights regime, whether beneficial or not. Favored interpretation between rights lead to prioritization within the human rights regime and its actors in centering the discussion around the ideals of success and freedoms rather than tackling the growing crisis of migration within Central America. In contrast to the numbers from the UNHCR Refugee Data Insights, the politicians from the Northern Triangle are not centering the crisis in their speeches. Once such prioritization of interpretations, enabled by the institution is identified, human rights scholars will be able to see the structural causes. Subsequently identify the continual failure at curtaining human rights crises, like the Northern Triangle refugee crisis. On a political level, the results help understand the legality and policies supported within the human rights regime on the state level. This paper's results suggest that establishing the link between institutional influence and states within the human rights regime is a step in the direction of effectively understanding the reasons for the state's failure to identify and address the 2018- 2022 refugee crisis appropriately. On the social level, it provides a method of engaging with the Northern Triangle that does not center western perspectives on the region, but rather, as its own actor in relationality to institutions.

8. Recommendations

This paper is not meant as the end to the examination of the dynamic between the United Nations and Central America, concerning human rights crises. Rather, for future research, I recommend that the number of countries were to account for all Central America, conventions, treaties, and available policies. In doing so, it would be able to examine a wider perspective and allow for the question to be researched in an exhaustive manner. This research is not the end, but rather a transition into the possibilities of future research around Central America and Human Rights. The goal has been to challenge outdated definitions, highlight Central American perspectives and histories, point out the gap in accountability within the human rights regime, and examine the role an international human rights institution plays during times of crisis. The question can be tailored to test the relationship between the Northern Triangle and other international human rights institutions, such as Human Rights Watch, Doctors Without Borders, etc. The question can also be expanded to account for all Central American countries and with focus on any other human rights crisis. The question could also be changed to examine the relationship between any international institution, the northern triangle region, and the Covid - 19 Pandemic, testing whether the link between institutional influence and state response causes failure to handle health crises.

To improve the future state of international studies, this paper recommends that future research within the Northern Triangle focuses less on gang violence, notions of failed states, and more on the dynamics between the region and other organizations in conversation with the human rights crises. If the focus were to remain on gang violence, to acknowledge its origins and the ways in which the region is left exacerbated by expectations set forth by a community that heavily places shame solely on the state deemed failed or unstable, without recognizing the role other, “developed” states have had in creating such high levels of violence.

9. Conclusion

In conclusion, this paper asked the question: How has the United Nations' prioritization of certain human rights impacted Central America's approach towards the Refugee Crisis? I theorized that the United Nations impacted Central America's approach in two parts, the first being that it established a hierarchy within human rights and the second, is that with the relationship between institution and state, it would not be feasible to curtail the Central American refugee crisis. After in - depth understanding of the field of international studies and debates around the prioritization among human rights, such as *erga omnes* within the human rights regime, regionalism, human rights during times of crises, and the relationship between institution and state, the need for discourse and policy analysis became apparent. It would not be enough or just to take a pure quantitative approach since it would leave out a big part of how states are influenced in their definition of refugees.

The alternative definition for refugees offered in this paper is not an end all to the issues with categorization between groups of migrants, but rather a starting point for more alternative definitions. Although the Northern Triangle of Central America is frequently discussed in relation to violence, this paper has centered a crisis that is multi-generational, with a close examination of each state's positionality on the crisis.

This paper concluded that the UN texts and documents relating to conventions, declaration, covenants, and treaties, were not legally preferential in their definitions and advocacy for human rights and as such did not influence states within the Northern Triangle negatively on their approach towards the refugee crisis from 2018 to 2022. On the other hand, in matters of interpretation of UN documents, ambassadors, politicians, and presidents from each country show they maintain the hierarchy across human rights in which they decide to address and advocate for in their speeches and correspondence. Between United Nations personnel's

interpretations in their speeches to the country case studies, there is a trend towards discussing first- and second-generation human rights issues such as violence and socioeconomic over issues of climate change, regarding the causes for the refugee crisis, catapulted by the 2018 Central American caravan. Migrants like Pedro and Eugenio deserve more protections internationally, and hopefully this paper was able to highlight the disparity between migrant groups. The role human rights institutions such as the United Nations play in setting the conversation around human rights violations is paramount and must continue to be questioned.

10. Appendix

Table 1: El Salvador: 2018-2022

Year	Government Type	Refugee Population	GDP	Population
2018	Hybrid Regime	250,619	26.02 Billion	6,276,342
2019	Flawed Democracy	282,785	26.88 Billion	6,280,217
2020	Hybrid Regime	286,908	24.56 Billion	6,292,731
2021	Hybrid Regime	323,370	28.74 Billion	6,314,167
2022	Hybrid Regime	304,103	n/a	6,336,392

Table 2: Guatemala: 2018-2022

Year	Government Type	Refugee Population	GDP	Population
2018	Hybrid Regime	106,027	73.33 Billion	16,346,950
2019	Hybrid Regime	190,127	77.17 Billion	16,604,026
2020	Hybrid Regime	197,919	77.63 Billion	16,858,333
2021	Hybrid Regime	336,810	85.99 Billion	17,109,746
2022	Hybrid Regime	302,535	n/a	17,342,638

Table 3: Honduras: 2018-2022

Year	Government Type	Refugee Population	GDP	Population
2018	Hybrid Regime	315,802	24.07 Billion	9,792,850
2019	Hybrid Regime	468,758	25.09 Billion	9,958,829
2020	Hybrid Regime	546,048	23.83 Billion	10,121,763
2021	Hybrid Regime	517,692	28.49 Billion	10,278,345
2022	Hybrid Regime	522,720	n/a	10,432,860

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