IASP-AIPS

DP-11/2026 MIGRATION: SOCIO-ECONOMIC AND POLITICAL ANALYSIS

Martha Elisa Monsalve Cuellar[1]

'It is not simply the land that makes man, but man who chooses his land, that is, his landscape, that piece of the planet where he symbolically finds his ideal or life project. We forget that man is a migratory animal, that there is always a migratory potential within him.'

Ortega y Gasset el Americano[2]

Index

1- Introduction
2- Applicable international instruments
3- Venezuelan migratory flows to Colombia
4- Socio-economic and political aspects
5- Repatriation of Colombian migrants to Venezuela and Spain
6- Current migratory phenomenon
7- Conclusions
8- Bibliography

1. INTRODUCTION

This commentary focuses on analysing the changes in migratory flows since the pandemic, with an impact on socio-economic and political aspects that we will attempt to highlight through this phenomenon, which, being as old as humanity itself, has taken on different characteristics and motivations over the years.

Harsh climatic conditions forced hordes to move in search of better conditions that would allow them to survive. We recognise that it was the state of necessity and the struggle for survival that gave rise to these movements.

"Population movements have always existed. Different in their motivations, magnitudes and trends, migrations have determined the conditions for the development of ancient and recent societies and civilisations,‘ says Madeleine Andenbeg Alingue in her work ’International Migrations: A World in Movement". They have been subject to changing factors that have had a major impact on receiving countries, but have also affected the countries of origin in some way.

The majority of migrants are young people and female heads of household, and the main driving force is the search for new opportunities that their countries of origin do not offer them.

There has also been a need for family reunification, as well as religious and political factors generated by internal wars or armed conflicts in some countries that are still suffering, and where not only migrants move to other countries with great uncertainty, but also internal migration, i.e. displacement to large centres and towns with the congestion that this entails, which increases the existing problems in these cities in terms of mobility, environmental pollution, and shortages of public services and housing. However, they prefer to take these risks rather than face the problems in their regions of origin caused by coca growers, territorial disputes, and reinserted individuals, who are causing considerable disruption in our country and driving these citizens to flee in fear to the cities in search of safety and protection for themselves and their families.

In the face of such complex phenomena, this migration is generating a series of issues that must be addressed immediately, such as legalisation of residence, land, healthcare, social protection, public safety, and above all, the increase in poverty to which they contribute due to their precarious conditions caused by these displacements at the national and international level, especially with regard to Venezuelans, who have arrived in the country by the thousands, bringing with them malnutrition, poverty, disease, uneducated children, and leaving behind the little or much that they had acquired in their homeland. This is an immeasurable social problem that the

international community does not seem to take into account, as there are no obvious solutions to this scourge.

2- APPLICABLE INTERNATIONAL INSTRUMENTS

The issue of migrant workers has been a concern for the International Labour Organisation (ILO) since its foundation in 1919. For this reason, several conventions have been adopted to protect the rights of migrant workers who become vulnerable when they leave their homeland for socio-political, economic or religious reasons, fleeing wars or totalitarian governments in search of opportunities they cannot find in their own country.

The quest for social justice cannot ignore the millions of workers who are on the move in today's globalised world, more than ever before due to the rise of high technology. The world no longer has borders.

Migrants are therefore included in the Conventions dealing with child labour, forced labour, non-discrimination in employment and occupation, and freedom of association.

For this reason, Convention No. 97 of 1949 and Recommendation 86 of the same year on migrant workers already lay the foundations for principles such as equal treatment for nationals and foreigners in a regular situation with regard to recruitment, living and working conditions, access to justice, tax regulations and other aspects.

Convention 129 deals with the inspection system in agricultural work, where migrant workers are mainly found and where discrimination in wages, working hours and working conditions are abusive towards these communities.

Convention 187 on health and safety at work extends favourable conditions for the performance of work by migrants.

Conventions 138 and 182, which refer to the minimum age and the eradication of the worst forms of child labour, protect migrant minors who are vulnerable to abusive treatment.

Convention 147 concerning merchant ships on which migrant workers are hidden and subjected to violations of their minimum conditions of protection at work and age, extends surveillance measures to these ships.

However, although the phenomenon of migration is as old as the history of humanity, conditions throughout the world are encouraging migratory movements for many reasons, drawing attention to the need for the ILO, as the World Parliament of Labour and Social Security, take into account this movement of people not only across land and sea borders but also within the same territories, displaced for various economic and security reasons, which alter the demographics and size of cities unprepared to receive such population flows.

It is not easy to propose a global strategy on migrant workers because it requires in-depth analysis and the design of legislation and programmes that take into account their rights vis-à-vis national workers, such as the right to organise, to decent work with

decent working conditions, decent working hours and decent wages, and consideration of a series of social problems and human rights violations, based on the fact that this is a vulnerable population that is willing to do anything to earn a living for themselves and their families.

Faced with discrimination, xenophobia and possible exploitation for illegal purposes, people in situations of serious need are easily tempted to seek easy money.

The ILO warns of the dilemma of a globalised world where most countries have a contradictory discourse: on the one hand, seeking to restrict migration and reduce the number of unregulated workers; and in practice, exploiting them due to the lack of protection through labour standards and social protection.

The world, especially Latin America, is shocked by the radical change in US migration policies, which have expelled thousands of citizens on the grounds that they were in the country illegally.

We agree that legalising residence should be a measure taken by all countries in general, but there are factors that must be taken into account, such as the fact that some of these workers already have children who are citizens by birth, which has not been taken into account, and another factor that will ultimately affect the economy of that country, the loss of labour for jobs that nationals do not do, which may affect industry, trade and agriculture, as well as the construction and maintenance of buildings.

Convention 143 of 1975 and Recommendation 151 of the same year address the issue of family reunification and the prevention of illegal trafficking in persons. New standards are needed that include social security to promote equal treatment and opportunities.

As we pointed out in the case of the Trump administration's drastic measures, this has not been taken into account, so we will most likely see complaints before the ILO Committee on the Application of Standards regarding the violation of this Convention. but, as in the case of the United States, it is one of the countries with the lowest ratification rate of Conventions, being obliged to comply with them but lacking legislation in this area, although because they involve human rights they do not require ratification.

In 1999, the Committee of Experts on the Application of Conventions and Recommendations carried out a General Survey on the application of these international instruments relating to migrant workers, which was submitted for consideration at the 87th session of the International Labour Conference, requesting Member States to apply Conventions 97 and 143.

Migrant workers and their families are also protected by nine fundamental United Nations international human rights instruments that complement the four instruments mentioned above.

Of particular note is the International Convention on the Protection of the Rights of Migrant Workers and their Families, which grants them the same rights as nationals with regard to access to education, training, housing and participation in cultural life.

Similarly, in the Multilateral Framework on Labour Migration, first edition of 2007 for the ILO, the issue of migrant workers and their links with development has become a global phenomenon affecting most nations in the world.

In Colombia, Law No. 146 of 1994 approved the International Convention on the Protection of the Rights of Migrant Workers and their families, adopted in New York in 1990.

3. VENEZUELAN MIGRATION FLOWS TO COLOMBIA

As this is a particularly sensitive issue in all aspects to be considered in this analysis, we will address this phenomenon, which for many years has affected two countries that share 2,219 km of border, much of which is easily crossed, giving rise to irregular migration of Venezuelans who for 20 years have suffered under progressive dictatorial governments, especially in recent years.

Over the years, we can identify three very distinct streams of migrants with different characteristics:

1- When Hugo Chávez began to show his extremist tendencies, many businesspeople emigrated not only to Colombia but also to Panama, the United States and Spain, where they had businesses, in order to safeguard their companies.

2- Many educated young people who saw their opportunities in their country disappear due to the closure of so many sources of employment arrived with the desire to start their own businesses and set up many food businesses. Many of them were stylists and worked in beauty salons and hairdressing salons, in unfair competition with our own, as they accepted low wages and did not join the social security system, which is a very complex situation.

3- A new phenomenon arose when Maduro was unable to feed prisoners in jails, so the prison doors were opened. Without documentation or money, they crossed the border on foot and turned to crime, affecting the country's security and increasing homicide and robbery rates disproportionately. When they are captured, they are undocumented Venezuelans.

4- We cannot fail to mention a very peculiar migratory phenomenon. In the 1980s and 1990s, our country was terrorised by a guerrilla group that today has no ideology and is dedicated to drug trafficking and extortion. Many companies closed down and young people, especially technicians and technologists, faced with a flourishing economy in a very rich country, left for Venezuela, where they were very well received and employed by large companies. They acquired property, started families, and settled down in the midst of a boom.

When the Chávez dictatorship began to emerge, he gave Venezuelan identity cards to a million Colombians to secure his electoral support. Paradoxically, during the violent times in Venezuela, they were deported without being able to bring any of their belongings with them. This phenomenon exacerbated the migration problem, as Colombians returned to take refuge in their homeland with their families.

This has increased our levels of informality and unemployment. Homes had to be adapted to house more than one family.

With serious problems of malnutrition and health and school delays due to the precarious conditions in the sister republic, Colombia has faced the consequences of unplanned repatriation.

Added to this phenomenon is the recent arrival of more than 1,200 deportees from the United States.

To alleviate the consequences of this irregular Venezuelan migration, Decree 2016 of 2021 was issued during the government of Iván Duque. This Temporary Statute for the Protection of Migrants, valid for 10 years, aims to allow the transit of Venezuelans based on a migratory reality, granting them access to health, education and job opportunities, provided they are not undocumented.

It also allows them to apply for a resident visa with a stay in our country for 10 years, provided they demonstrate good behaviour. International aid was obtained to fulfil this humanitarian gesture.

4. SOCIO-ECONOMIC AND POLITICAL ASPECTS

As a result of these migratory phenomena, we have seen a demographic increase, which is reflected in the demand for housing, public services and education, and our country was not prepared for this.

Two million Venezuelans have registered with the EMT, adding to our congested transport systems and all our daily activities.

Political analysts report that 8 million Venezuelans have left their country because of the dictatorship they suffer. Of these, and given the ease of mobility, it is easy to deduce that at least 3 million more than those registered have remained in our country, while others have emigrated to Panama, Peru, and fewer to more distant countries such as Mexico, Argentina, or Brazil due to language difficulties.

They have congested the health systems due to the state of malnutrition in which they arrived, and many women seeking permanent residence arrived pregnant to give birth to their children in our country.

There is a shortage of housing and an increase in prices in areas with high demand from migrants. For a year, we have had water rationing, which, although justified by the lack of rain, does not mention the uncalculated increase in population.

The supply of cheap labour displaced our own, with the parafiscal and social security costs that many employers irregularly accepted.

We have seen changes in our society due to the influence of people with different customs and even different culinary offerings.

We welcome entrepreneurial migration that generates wealth and jobs, with a fairly good cultural and educational level, but this is low in percentage terms compared to what we have lost.

Many of them, who are socially maladjusted, have become involved in protest movements, causing damage to public property and services, and in their state of need have agreed to participate in violent acts in exchange for payment. With their dual nationality, many will most likely participate in the 2026 elections. Hopefully, having been victims of totalitarian governments, they will choose wisely.

5- REPATRIATION OF COLOMBIAN MIGRANTS

We have previously referred to what happened to those Venezuelans who were forced to leave the country in poverty, unable to bring any of their belongings with them, and who were simply taken in by family and friends in the emergency situation. However, we must analyse another phenomenon originating in migratory flows to other European countries, especially Spain.

Chronologically, the exodus of Colombians to Venezuela – technicians and technologists – coincided with that of mostly women who travelled to Spain because of the ease of the language. They were employed in domestic work and caring for the sick and elderly. The men who travelled were employed in agricultural work, construction and heavy labour.

The phenomenon of remittances began, with large sums of money being sent home to support the families who remained behind, at the cost of family breakdown, which had a huge impact on young people.

For the research we carried out for the book ‘Migraciones y su transversalidad’ (Migrations and their transversality)[3], we interviewed many Latin American women in Madrid's call centres who, as if in a kind of consulate, gathered to communicate with their families far away, exchange information about jobs and give free rein to sharing the dramas they were experiencing far from home.

They were always thinking of returning, sending money to pay for their studies and to build their homes, not only to live in but also to generate income that would allow them to survive. These were real human dramas.

It was precisely Spain that, through the Family Reunification Law, provided 17,000 euros for the return of those who opted for this offer.

Many brought their families with them, and many others started families in that country, where there were an estimated 600,000 Colombian migrants who contributed not only their labour but also much of our idiosyncrasy, appreciated for their work and, above all, their sweet and kind treatment of people.

We highlight this migration to Spain as the largest, but it is clear that there was also migration to other countries such as Italy, Portugal and the United Kingdom, overcoming the difficulties of the language barrier.

6- CURRENT MIGRATION PHENOMENON

Our country is experiencing a new exodus, especially of young people with secondary and higher education, who, after actively participating in the political change that led to the establishment of a progressive left-wing government headed by a former guerrilla leader for the first time in 200 years, promised changes that young people, eager for novelty and transformation, did not hesitate to support with great enthusiasm.

We are well aware that the country needed to review many situations and make changes, but those hopes for transformation were quickly dashed by a lack of opportunities, rising unemployment and increasing poverty and informality, and those frustrated young people left to seek their fortune elsewhere. One million have left the country, and although remittances have become the second largest source of income for our economy, there is a shortage of skilled labour from these young people, with the loss that this represents in terms of investment in their training.

They are unlikely to return, because the socio-political, economic and security conditions in the country have deteriorated enormously under an erratic government that threatens to remain in power at all costs.

Due to its biodiversity, Colombia is a very attractive country, especially for older adults seeking healthy climates. Many foreigners, upon receiving their pensions, have chosen regions of great natural beauty and very healthy climates to live in. Foreigners who are retired in countries with strong currencies receive sums that allow them to live comfortably, which they would hardly be able to do in their own countries.

We cannot fail to mention the phenomenon of increasing displacement in Colombia, caused by land ownership disputes and fights between drug traffickers to occupy farmers' land, who are eradicated from their properties to dedicate the land to coca cultivation, which in the last two years of this government has amounted to 3,000 hectares planted with these plants. This struggle for land has led to large-scale displacement, most recently in the Catatumbo region, not to mention the southern regions of the country in the departments of Nariño, Cauca and part of the Cauda Valley, which have been ravaged by narco-guerrilla movements, causing large numbers of people to be displaced and exacerbating poverty and informality. because when they arrive in urban centres, they basically engage in activities that provide them with sustenance, but in the most informal way possible.

The failed peace talks and ceasefires, especially by the regular forces of law and order (the army and police), are helping them to gain ground in their imminent plans to seize power by force, intimidating communities and committing crimes against military forces that are unable to act due to the government's ceasefire order.

It is an extremely unequal struggle that has not been accompanied by a firm policy to put an end to the criminal activities of these groups operating outside the law, forcing large numbers of people to move to urban centres in very precarious conditions, leaving all their belongings behind.

***

Although it is true that migration, in its various forms, can bring benefits in terms of the economy, culture and customs, they must also be analysed in terms of the negative aspects of population growth without the necessary infrastructure to cope with such large numbers, as in the case of Venezuelans, which has been evidenced by the deterioration of public services, especially in Bogotá and other capital cities that received a considerable number of migrants precisely because they offered better opportunities.

7. CONCLUSIONS

1- Consider that the movement of peoples throughout human history has always occurred for various reasons.

2- Evaluate the positive and negative aspects of all types of migration in order to rescue what they contribute to our society and counteract their harmful effects.

3. The International Labour Organisation needs to update existing conventions and adopt new ones to regulate migratory flows.

4. Legislate in countries facing this phenomenon of internal and international migration to mitigate the negative effects and extract the positive aspects of the exodus of people and the waves of return.

5. Remember that migrants are human beings with rights that must be respected and make them aware of their obligations, especially their obligation to adapt when they move.

BIBLIOGRAPHY

MADELEINE ANDENBERG A. ‘International Migration: A World in Motion’, Bogota 2004.

MENDIZABAL BERMUDEZ G. "Central American Migrants. Social Protection and Social Rights in Mexico‘, Ed. Mercadolibre 2023.

COLOMER VIADEL A., ’Immigrants and Emigrants. The Challenge of Miscegenation‘, Polytechnic University of Valencia 2006.

MONSALVE CUELLAR M. QUINTERO GOMEZ Y. (Coord.) ’Migrations and their Transversality. An Interdisciplinary Analysis," Ed. Aldebarán 2018.

NORMLEX ILO. ILO Conventions and Recommendations.

World Migration Report 2011, International Organisation for Migration (IOM).

FOOTNOTES

[1] Research Professor at the Gran Colombia University (UGC, Bogotá). Doctor of Law and Political Science with a Master's degree in Human Rights. Specialised in International Labour Standards and Social Security. Honorary Doctorate from the López Freire University of Nicaragua, Full Member of the Ibero-American Academy of Labour and Social Security Law, Corresponding Member of the ABDT. President of ILTRAS and ILERA-Colombia.

[2] From his book *El tema de nuestro tiempo*, ed. Revista de Occidente, Alianza Editorial, fourth reprint, 2006, p.65.

[3] Monsalve Cuellar M., Universidad la Gran Colombia, Editorial Alderaban 2018.