

Forum: Human Rights Council

Issue: Measures to protect the movement of refugees

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Introduction

The growing complexity of the population movements have increased the intersection between refugee protection, forced displacement and international migration. This intersection is seen in the context of “irregular mixed movements” in which people with different objectives move with each other using the same routes and means of transport as smugglers. While the majority of people move to improve their standard of living and education, mixed movements include people who are forced to flee by threats to fundamental human rights, stemming from violent conflict, extremist groups and organized crimes.

While fleeing to another country, refugees face life threatening situations, where they are injured, drowned and even killed. According to the “Desperate Journeys” report written by the United Nations High Commissioner for Refugees (UNHCR), 40 percent fewer of those on the move, entered Europe via the Mediterranean this year compared with those in 2017. Reports from the “Desperate Journeys” shows that more than 1,600 people have died or gone missing while attempting to reach Europe this year so far. The drop in number of refugees successfully reaching Europe, and the increase in number of deaths in the Mediterranean has been attributed to increased support for the Libyan Coast Guard to prevent sea crossing, and further restrictions on Non-Governmental Organizations (NGOs) involved in search and rescue missions. However, due to Italy refusing to allow the disembarkation of several NGO vessels carrying rescued refugees and migrants, NGOs and others conduction rescues in the central Mediterranean Sea are facing increasing difficulties finding safe European ports for disembarkation. This has caused a rise in rate of deaths, where one in 18 of those who crossed to Europe between January and July 2018 went missing, compared to last year’s rate of one in 42 of those attempting the crossing.

Refugees often face life threatening situations even on board or even after the arrival. While crossing the sea into Europe, many boats have capsized, seeing up to 170 people crammed on board drown, while others have already been found dead in boards from suffocation, dying of hypothermia or starving. After they have safely arrived, while most refugees and asylum-seekers seek protection in the

closest country as their origin, some are compelled to move onwards from or through countries to other countries where they find better protection and safety.

Definition of Key Terms

Refugees

A refugee is a person who has fled from their own country because they are at risk of serious human rights violations and persecution. They are often left with no other choice but to leave and seek safety outside of their country as they are not protected by their government. Refugees usually have a right to international protection.

Asylum-seekers

An asylum-seeker is a person who has fled their own country and is seeking for protection from serious human rights violation in another country, but who hasn't yet been legally recognized as a refugee and is waiting to receive a decision on their asylum claim. Seeking asylum is a human right, meaning everyone should be allowed to enter another country to seek asylum.

Migrants

There is no internationally accepted legal definition of a migrant. People who are staying outside their country of origin who are not refugees or asylum-seekers are often called migrants. Most migrants leave their country for better standard of living, work, education, etc. Other reasons may include political unrest, gang violence, natural disasters, etc.

Secondary Movement

Secondary movements occur when refugees or asylum-seekers move from the country in which they first arrived to seek protection or for permanent resettlement elsewhere.

General Overview

Risks faced by refugees

Due to an increased border restriction introduced in 2016 on refugee and migrant movement towards and inside Europe, refugees undertook more diversified and dangerous journeys, often relying on smugglers because of the lack of accessible legal ways to Europe. However, refugees are faced with

obstacles even before fleeing their country: they are exposed to conflicts such as war, breakdown of law enforcement and justice and economic disruption. On their journey to a new country, refugees face a new risk: the desperate nature of their migration often leads them to take drastic measures, such as seeking the help of smugglers, often working in close partnership with drugs, sex and labor traffickers. Refugees are also often exposed to exploitation by corrupt border patrol and labor enforcement agents and even security personnel.

Additionally, according to the UNHCR study, on the border lines, refugees are often faced with violence and abuses in apparent attempt to deter further entry attempts by border authorities. The world has been receiving deeply worrying reports of refugees and migrants kidnapped, held against their will for several days, physically and sexually abused, tortured or extorted by smugglers and criminal gangs throughout their journey.

Mediterranean

The Mediterranean Sea is one of the most dangerous routes to Europe. The journey to Italy is particularly dangerous, with 5,096 refugees and migrants reported dead or missing at sea. Due to this, more people have started to reach Europe through the West Mediterranean route, either by crossing the sea to Spain from Morocco and Algeria, or by entering the Spanish enclaves of Melilla and Ceuta. According to the UNHCR study, tens of thousands of people have been reportedly pushed back by border authorities in countries in Europe, including Bulgaria, Croatia, Greece, Hungary, Serbia, Spain and the former Yugoslav Republic of Macedonia, etc.



Figure 1: The map shows the route of refugees in the Mediterranean Sea

Iraq

Displacement from Iraq is the result of the Iraqi government's violation of human rights throughout the past decade. Uprising after the Gulf War have led to numerous attacks on the

civilians, which have propelled more than a million people to flee, including 350,000 into Iran. Saddam Hussein's regime has persecuted political opponents and ethnic minorities with extreme measures including forced relocation, arbitrary arrest, torture, disappearance, execution, use of chemical weapons and the destruction of the entire village. Iraqi refugees and asylum seekers included medical professionals who had refused to perform amputations of ears as a criminal sentence, rebels have been arrested by Iraqi security forces for providing aid to people in southern Iraq and people have been imputed political opinion, who faced arrest and torture.

Iran

Refugees from Iran consist mostly of people with various religious persuasions, such as Christians, Jews, Zoroastrians, Bais, Sabian Mandeans, and Sunni Muslims, who have suffered discrimination and persecution. Many Iranian refugees have been subjected to political violence including assassination, arbitrary arrest, unfair trial, and restrictions on freedom of expression, association and assembly. A few fled Iran in fear of political persecution.

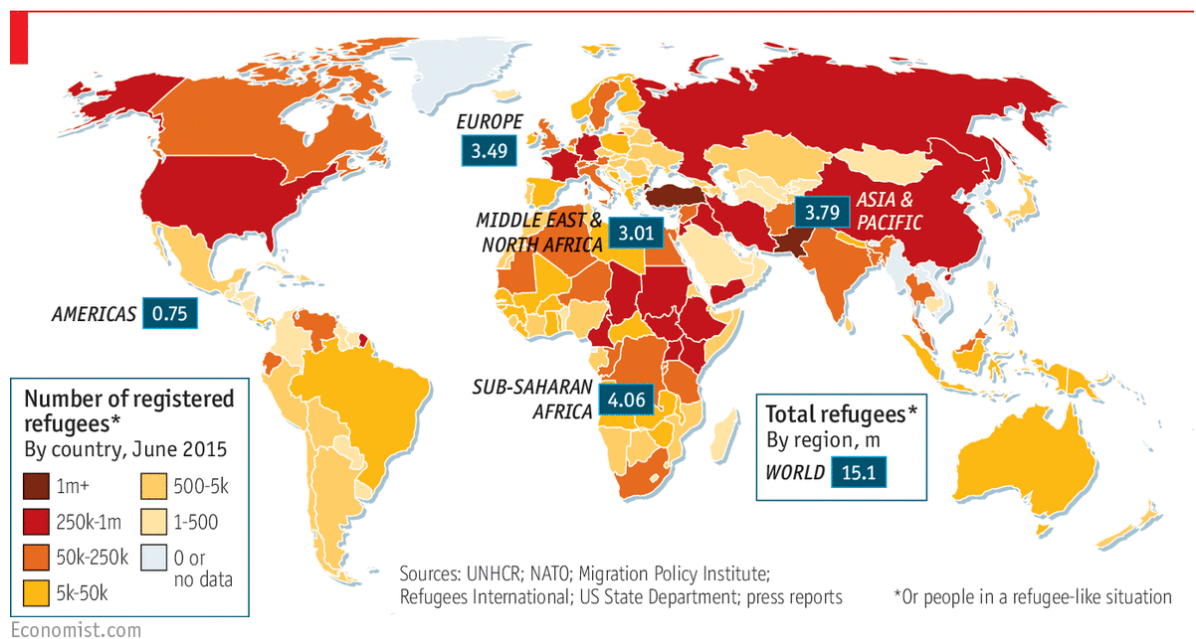


Figure 2: The map shows the number of refugees registered in countries and continents

Children Refugees

Every five seconds, a child is forced to flee and are exposed to many dangers during their journey to safety. 50,000 children have been killed as a result of the war in Syria, most killed as a direct result of the hostilities, while others have lost their lives due to lack of medical treatments. Nine in ten doctors have fled, been kidnapped or killed, hospitals lack personnel, medicines and equipment. On their journey

to Europe, two children drown in the Mediterranean every day, along with 3771 recorded casualties so far.

2.3 million children have fled from conflicts zones around the world. Most of the children live in besieged areas where aid organizations do not have access. Many have been displaced for more than five years, and the average stay in a refugee camp is 20 years, especially they do not have a guardian.

During the war and on their journey to another country, more than 15,000 refugee children are separated from their parents. Even after they found shelter, three in four refugee children are still forced to work for their family to this day. Some of them are as young as five years old. Boys are usually sent to factories and workplaces. In Syria, children down to seven years old become soldiers. Earlier in the conflict, the majority was boys between 15 and 17 years old and they were mostly imposed duties outside the front lines. Nowadays, even younger children are being recruited to take part in hostilities and suicide operations. Globally, more than 250,000 children (under 18) have been recruited as child soldiers or forced to serve the army.

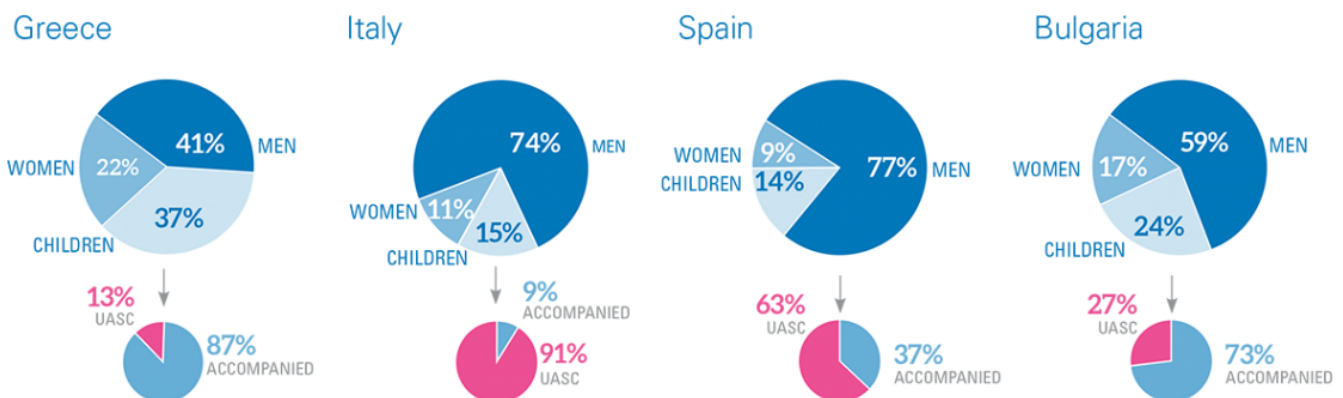


Figure 1: The graph shows the proportion of men, women and children refugees and the number of children refugees accommodated

UN Involvement, Relevant Resolutions, Treaties and Events

United Nations High Commissioner for Refugees (UNHCR), also known as the UN Refugee Agency, was established on December 14th, 1950 by the General Assembly and in the following year, on July 28th, the legal foundation of helping refugees and the basic statute guiding UNHCR's work, the United Nations Convention relating to the Status of Refugees, was adopted. The UNHCR has its Headquarters in Geneva with 89 per cent of staff in the field. Today, a staff of more than 9,700 people in 126 countries provides protection and assistance to nearly 59 million refugees, returnees, internally

displaced and stateless people. The largest proportion of staff are based in countries in Asia and Africa, the continents that both host and generate the most refugees.

UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, was established by the UN General Assembly in 1949 to provide services for the registered Palestine refugees in the Middle East. UNRWA is a direct service provider, delivering primary and secondary education, health care, relief and social services, camp infrastructure and improvement and emergency aid to Palestine refugees, now numbering 5.4 million.

The 1951 Refugee convention, ratified by 145 state parties, was adopted in 1951, defining the term “refugee” and outlines the rights of the displaced, as well as the legal obligations of states to protect them. This has become a key legal document that forms the basis of the UNHCR’s work. The document states that a refugee should not be returned to a country where they face serious threats to their life or freedom.

Timeline of Events

Date	Description of event
1949	UNRWA established by the General Assembly
December 14 th , 1950	UNHCR established by the General Assembly
July 28 th , 1950	Legal foundation and basic statute guiding for UNHCR adopted
July, 2012	UNHCR and Jordanian authorities open Za’atari Refugee Camp
August, 2015	The UN Security Council expresses alarm over the continuing crisis in Syria

Possible Solutions

It is crucial for governments to acknowledge and **address the causes of displacement**. Governments have different definitions to displacement and have different causes of displacement and the deep roots of the problems of displacement should be addressed before any action is taken. Nations must come together to discuss the international legal definitions of uncertain terms such as ‘migrants.’

Secondly, nations should **ensure that the international refugee law provides a solid legal framework** that addresses both security and protection concerns and discuss ways of enforcing the laws. It is very important that all nations work together and cooperate under one international regulation and

therefore it is crucial for a clear law and regulation on the protection of movement of refugees. Then governments must come together with various organizations in order to find out measures of enforcing these laws.

Thirdly, nations must **aid and support rescue projects and operations** in order to increase deaths and injuries occurred during movements. Nations around the Mediterranean and other routes must be encouraged to support any rescue operations happening around their borders.

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