**NAME: MOHAMMED RABI ALIYU**

**MATRIC NUMBER: 16/SMS09/047**

**COURSE CODE: IRD 406**

**COURSE TITLE: HUMAN RIGHTS**

**QUESTION: DO YOU THINK THAT DEVELOPED COUNTRIES IN EUROPE AND NORTH AMERICA ARE PROTECTING THE RIGHTS OF REFUGEES?**

First of all, article 1(A) (2) of the 1951 Convention defines a refugee as an individual who is outside his or her country of nationality or habitual residence who is unable or unwilling to return due to a well-founded fear of persecution based on his or her race, religion, nationality, political opinion, or membership in a particular social group.

Refugee law and international human rights law are closely intertwined. The basic principle of refugee law is non-refoulement. Non-refoulement is the principle of not forcing refugees or asylum seekers to return to a country in which they are liable to be subjected to persecution.

They are also granted rights such as the freedom of movement, the right to liberty and security of the person, right to family, and right to employment among others.

Despite these rights being protected in the 1951 Convention and other human rights treaties, refugees in various countries do not enjoy full or equal legal protection of fundamental privileges.

In Europe, the European Union (EU) and its member states focus largely on keeping migrants and asylum-seekers away from the EU.They do this by on preventing arrivals, outsourcing responsibility to countries outside the bloc, and repelling people unlawfully at EU borders.

For example, in March 2016, the Western Balkans route to Europe was shut down. This left thousands of them stuck in limbo, facing an uncertain future, many in unsafe accommodations. European borders have been militarized with aggressive controls, fences and border patrols, with little consideration for human dignity.

Rather than being in places of safety, those countries have failed to offer protection to many new arrivals. An NGO report reveals that migrants and refugees in Serbia, Macedonia, Croatia, Hungary, and Bulgaria are being routinely miss-treated by law enforcement officials.

The growing practice of systematic pushback of refugees and persons in need of protection has been prioritized by EU states in order for them to avoid their obligations as stipulated in the 1915 convention.

Pushback’ is the term used to describe the practice by authorities of preventing people from seeking protection on their territory by forcibly returning them to another country. Pushbacks are happening in different ways.

Hungary and Croatia have used brutal tactics such as attack dogs and forcing people to strip naked in freezing temperatures.

In past years, cooperation has been reinforced with North and West African countries to ensure a better detection and interception of irregular migrants at the earliest stage of the migratory route possible, and to facilitate the removal.

Some of these can be seen in the Italy-Libya cooperation where a clear pushback operation occurred in May 2009 when Italian coast guards intercepted about 200 migrants in the high seas and directly sent them back to Libya, based on a cooperation agreement signed between both countries in August 2008.

Other cooperations include; Spain and Senegal and Greece and Turkey among others.

There are also cases of internal pushbacks (within Europe), like between Italy and Greece where migrants flee from Greece to Italy and are pushed back by the Italian government.

The migrants themselves, moving through the Balkans, call their efforts (with cynical humor), “the game”. This is a cruel game where safety and protection are replaced with violence and intimidation.

For refugees and others who have the right to international protection from persecution and serious human rights violations, pushbacks stand in the way of seeking protection and enjoying their right to an individual assessment of their claims.

This can clearly be seen as a failure of European countries to uphold people’s rights.

The United States, on another note, has long been a global leader in the resettlement of refugees, admitting more people each year than all other states combined with 69,933 refugees in 2015, and 84,994 in 2016. This however recently changed with the Trump administration. The Trump administration drastically reduced the maximum number of refugees that can enter the United States.

Moreover, the United States government imposed new security vetting procedures on refugees before they can be admitted into the country, which greatly lengthened waiting times and left many refugees in dangerous situations for prolonged periods. In 2017, for the first time in modern history, the United States settled fewer refugees than the rest of the world with their numbers at 53,716.

The Department of State reported in 2016 that the entire process takes an average of 18-24 months to complete. However, security screening became even more complicated in 2017 when DHS, under the Trump administration, began “implementing program enhancements to raise the bar for vetting and screening procedures.”

The prospects for refugees hoping to resettle in the United States changed abruptly in 2017. In January 2017, President Trump signed an executive order that suspended the entire US refugee admissions program for 120 days. In addition, the Trump administration indefinitely suspended the entry of Syrian refugees into the country and lowered the Fiscal Year 2017 refugee admissions ceiling from 110,000 (set under the Obama administration) to 50,000. The admissions ceiling was lowered to 45,000 in 2018 (with fewer than 50 percent admitted at 22,491), and again to 30,000 in 2019.

One might think that refugees would elicit knee deep sympathy given the tragic circumstances that drove their migration, but perceptions of refugees are often tied up with geopolitical considerations and domestic political realities.

This is clearly seen in cases with European states and The United States involved.