**IRD 406**

**Do you think that Developed Countries in Europe and North America are protecting the rights of refugees**

A refugee is a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country. Protecting refugees is the core mandate of UNHCR.

Countries around the world normally guarantee the basic human rights and physical security of citizens. But when civilians become refugees this safety net disappears. UNHCR’s main role in pursuing international protection is to ensure that states are aware of, and act on, their obligations to protect refugees and persons seeking asylum. However, it is not a supranational organization and cannot be considered as a substitute for government responsibility.

Countries may not forcibly return refugees to a territory where they face danger or discrimination between groups of refugees. They should ensure that refugees benefit from economic and social rights, at least to the same degree as other foreign residents of the country of asylum. For humanitarian reasons, states should allow a spouse or dependent children to join persons to whom temporary refuge or asylum has been granted. Finally, states have an obligation to cooperate with UNHCR.

There have been actions from countries in Europe and North America towards the protection of the rights of refugees at their borders. Countries like Turkey have been the main supporter of the Syrian opposition fighting the Bashar Assad regime. Ankara, which is the capital of Turkey, has also diligently protected innocent Syrian civilians living in the Idlib region. It has stood against the atrocities, the Assad regime attacks and the regime's main backers Russia and Iran. On one hand, Turkey has mobilized its deterrent military power in the region against the regime’s future attacks; on the other hand, Turkish officials and civil institutions initiated a campaign to provide food and shelter for civilians. Western countries have been reluctant to get involved in the humanitarian tragedy and security problem in the region.

After more than 30 Turkish troops were killed in Syria by the regime backed by Russian airpower, Ankara announced it would no longer prevent migrants from crossing to Europe via its borders. In less than a week, thousands mobilized at the Turkish-Greek border. Not only Syrians but also hopefuls from other countries rushed to the border to cross into Europe.

Greek police used tear gas and disproportionate violence against the asylum seekers, including women and children. At some point, police even opened fire to deter crossings. Migrants have also been tortured and beaten by police. Protests of the government have erupted, and vigilantism is rampant.

European Union members who remained indifferent to Turkey’s lonely struggle against illegal migration have rallied behind Greece, the new shield protecting the “European castle” against illegal migration. They immediately sent not only financial assistance but also the necessary equipment, ammunition and human resources.

President Recep Tayyip Erdogan of Turkey has been demanding support from the EU and NATO in the Syrian crisis. During his talks with EU and NATO leaders in Brussels over the fate of migrants at the Greek border, Erdogan demanded more support in Idlib, Syria from his Western allies and also in the refugee crisis. He stated, “The crisis stemming from Syria, with its security and humanitarian dimensions, is threatening the region and even all of Europe.” Therefore, no European country has the luxury of remaining indifferent to the developments.

The capital of Turkey has reiterated it will no longer struggle to keep refugees away from Europe and in the country. European leaders have urged Erdogan to negotiate a new deal regarding the Syrian refugees’ mobility. EU officials and member states expect Turkey to adhere to the joint refugee agreement of 2006, the conditions of which were not met by the EU.

The EU-Turkey agreement of 2006 stipulates that Turkey impose strict control at the borders and prevent illegal migration to EU countries. In return, the EU promised to send 6 billion Euros to care for Syrian migrants in Turkey. However, Turkey has repeatedly accused the EU of not fulfilling promises made in the 2006 agreement. It seems the EU is still not ready to provide more financial assistance to Turkey. However, it is expected that Brussels will reinitiate dialogue with Ankara. Otherwise, the EU has to face a new wave of refugees from its eastern borders.

Erdogan asked NATO members to support Turkey on the battlefield. This request included the bloc providing greater air support, reconnaissance aircraft and surveillance drones in Idlib. NATO Secretary-General Jens Stoltenberg said Turkey has suffered more terrorist attacks than any other NATO member. Stoltenberg asserted that the migration issue at the Turkish-Greek border is a common problem requiring joint solutions and efforts. He offered assurance that the alliance will continue to support Turkey.

In May of 2016, In May, the World Humanitarian Summit brought governments, the UN, NGOs and the private sector together for wide-ranging discussions on how to improve humanitarian response through innovative thinking, better coordination and stronger participation. Yet even as leaders were pledging their commitment to humanitarian principles and standards, families from Aleppo were sitting in the hot sun in Greece, many without even basic shelter. These people were emphatically not ‘participating’ in the planning for their well-being or being ‘empowered’ in their relationships with local authorities. Child refugees travelling alone were left to fend for themselves in Athens, Paris, Rome and Calais, exploited and abused. Across Europe, the birthplace of modern humanitarianism, women who had suffered egregious sexual exploitation and violence in Libya were labelled economic migrants, not refugees, and thus deemed not eligible for either asylum or humanitarian assistance. Although some European states offered asylum and a future to those arriving, many others did not.

Europe’s actual humanitarian response must be judged a failure in many respects; basic needs have not been met and vulnerable people have not been protected. The lack of agreement about ‘burden-sharing’ in the region, rising xenophobia and Islamophobia, fear of terrorism and the demonization of refugees and migrants have all played a role in creating this chaotic situation. Meanwhile, poorer countries in regions that host the great majority of the world’s refugees are asking why they are expected to respect humanitarian standards and refugee law when wealthy Europe has chosen not to.

The numbers or refugees were big, and sudden, but not entirely unpredictable. There had been a steady movement of refugees and migrants into Europe for decades, but from summer 2015 the numbers taking the Balkan route increased dramatically. Over a million people sought refuge in just a few months. Yet this should not have been a complete surprise. Flight to Europe, after all, is linked to humanitarian challenges elsewhere. Insufficient funding for the Syrian regional humanitarian appeal meant a loss of services for more and more Syrians in the region. Combined with restrictions on employment and the depletion of savings, this prompted many to look for a more secure future elsewhere. Afghans, cut off from traditional routes east due to the draconian sea interception policies adopted by Australia, joined Syrians on the Balkan route to Europe. Lack of employment and educational possibilities for urban Eritrean refugees in Sudan and Sudanese refugees in Egypt led young people to risk the route through Libya to Italy. War in Yemen pushed long-settled Somali refugees back across the Red Sea to become part of the flow of people from the Horn of Africa to Libya and Italy. Thus, the flight to European shores reflected not only the pull of greater long-term security in Europe, but also the failure of the international humanitarian community to meet basic needs in other places.

European governments varied widely in their willingness to provide humanitarian support. Many simply failed to respond, whether out of inexperience, lack of resources (Greece) or outright hostility to the refugees (sometimes on religious or cultural grounds). Some states even exacerbated the crisis by purposely making movement as difficult as possible by closing borders or forcing people to walk long distances (when it would have been relatively simple to provide transport) or by punishing refugees with detention, family separation and sometimes physical violence. In short, state responses often made the humanitarian situation worse, either as a reflexive hostile response to what was seen as an ‘invasion’ or as a policy justified as a deterrent to new arrivals. In fact, deterrence has been a persistent theme in European policy discussions. Politicians across the continent have defended all manner of security responses as deterrents, including suggesting that expanding maritime search and rescue operations would only encourage more people to come. The refusal to provide basic humanitarian support to refugees and to have them suffer on the streets has even been claimed as a ‘humanitarian’ policy since it might prevent more people from risking their lives on dangerous sea crossings.

In the case of North America, the Canadian Council for Refugees joins protests against North America’s withdrawal from refugee protection. The Canadian Council for Refugees expressed alarm today at North America’s increasing withdrawal from refugee protection, at a time when the refugee crisis worldwide needs leadership and contributions from the wealthiest countries. Particularly in the USA, but also in Canada, doors are closing on refugees, whether they attempt to make a refugee claim in the country or seek protection through resettlement.

“Canadians have followed with horror the scenes of children and adults in immigration detention in US,” said Claire Roque, CCR President. “It is less well-known that the US recently introduced a new rule barring refugee claims from people who passed through another country. This is very similar to a rule adopted this summer by Canada – the two countries are unfortunately on a shared path to shake off their responsibilities towards people in need of asylum.”

The CCR is part of a legal challenge of the designation of the United States as a safe third country for refugees: the Federal Court will hear the case this November.

Meanwhile, there are reports that the US government is considering reducing to zero the number of refugees resettled next year. The average yearly number of refugees resettled to the US is 95,000, although this has already been reduced to 30,000 under the Trump administration. The impact of eliminating these resettlement places is devastating for refugees around the world.

Canada disappointingly has reverted to low resettlement numbers after the Syrian movement in 2015-2016 – just 9,300 Government Assisted Refugees in 2019. The CCR continues to call for a target of 20,000 Government Assisted Refugees annually.

The CCR underlines that these regional trends take place in the context of pronounced racism and xenophobia, and Canada is not immune to these problems.

The CCR expresses solidarity with the many in the US who are mobilizing to fight back against the illegal and immoral refugee and asylum bans, including through a country-wide day of action, Rise for Refuge, on August 3 (https://www.weareallusa.org/riseforrefuge).

The CCR calls on Canada to show leadership internationally in promoting resettlement, including by setting a target of 20,000 Government Assisted Refugees as a model to other countries. (There is a particular opportunity and responsibility for leadership, as Canada is chairing the Annual Tripartite Consultations on Resettlement this year)On Canadians to voice support for refugees, recognizing that welcoming and protecting refugees both saves lives and makes Canada a better place.

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