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Question: do you think that the developed countries of Europe and North America are protecting the rights of refugees?

European countries have failed to discuss migration in the terms of human rights. Till date the EU immigration law is concerned with keeping people out. The refugees and migration challenges in Europe has led to the humanitarian and political crisis and the European Union ha failed to address these issues. Instead of providing for safe and orderly channels into Europe for asylum seekers and refugees, the EU and member states have endorsed policies to limit the arrivals and to outsource responsibility to regions and countries outside of Europe. Today, pressing problems such as the impact of the Syrian crisis on the asylum system of many European countries, the fear of increase in migration to Europe.

Proposed measures to the EU directives and governing procedures, qualification of asylum and reception conditions include some positive measure but also measures to punish asylum seekers for moving from one European country to another. The obligatory use of “safe country” and “internal flight alternative” concepts are used to deny protection and compulsory reviews to enable revoking of refugee status and subsidiary protection. In 2016, over 343,000 have managed to reach European shores by sea, while at least 4,646 have died or gone missing at the sea. A substantial proportion of those arriving come from refugee producing countries like Iraq, Syria and Afghanistan. Such people are fleeing generalized violence, war and serious human rights abuses, while many others are seeking to escape economic deprivation and may not qualify for asylum.

In November 2015, Human Rights Watch urged the European Union and its member states to take actions to reduce the need for dangerous journeys, address the crisis at Europe borders, fix the EU’s asylum system and ensure the EU’s cooperation with other countries improves respect for human rights and protection of the refugees. This document till now has not yielded result from the side of the European Union.

The most disconcerting developments in recent years in Europe is the increasing support for nationalist and racist movements as well as the culture of xenophobia. First, by the shortcomings of EU’s asylum policies particularly the concentration of new entrants to certain states, the lengthy detention periods and the lack of awareness about the reasons for migration and human rights issues involved, have led to public outcry in affected states. Also, several member states like Italy do very little to help the migrants to find their way in the society even when entry is granted. Both the European court of Human Rights and the Court of justice of the European Union have found that detention conditions in immigration centers in Greece amounted to the most inhuman and degrading treatment. The most serious concern is the “pushbacks”, some states which are suffering from asylum system such as Italy and Greece have engaged in the practice of pushing back migrants to their point of departure. The “pushback” practice raises grave human rights concerns, as it fundamentally affects the right to leave a country and to seek asylum, further resulting in avoidable loss of life and inhuman and degrading treatment.

North American countries are not so much of a difference to the European countries especially America. Donald Trump’s administration has opted to close the nations borders to refugees and to abdicate American leadership. The administration has taken several steps to kick asylum seekers out of the US and prevent other from coming. Traditionally, America has resettled more refugees than any other country and it still contributes a big share of UNHCR’s budget, but Trump’s administration policies suggests the reversal of this. The United States played a leading role in responding to the huge refugee’s crisis following the World War II, Vietnam conflict and the Cuban revolution. As every other administration in recent history has recognized, saving the lives of the world’s most vulnerable people reflects American values and shows the world what they stand for. By contrast, the Trump administration’s efforts to dismantle U.S. refugee protection programmed will stroke anti-refugee sentiment and exclusionary forms of nationalism in may countries and encourage other states to follow its example.

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