16/sms09/005

Adumekwe Chisom

Human Rights - IRD 406

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

A refugee can be defined as a person who has been forced to leave their country in order to escape war, persecution, or natural disaster (Lexico, 2020). A refugee is someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. According to the 1951 Refugee Convention a refugee is any 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 or, owing to such fear is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

Developed countries in Europe are not protecting the rights of refugees because they are not obeying the principle of non-refoulement forms which is an essential protection under international human rights, refugee, humanitarian and customary law. It prohibits States from transferring or removing individuals from their jurisdiction or effective control when there are substantial grounds for believing that the person would be at risk of irreparable harm upon return, including persecution, torture, ill-treatment or other serious human rights violations. It also states that The prohibition of refoulement under international human rights law applies to any form of removal or transfer of persons, regardless of their status, where there are substantial grounds for believing that the returnee would be at risk of irreparable harm upon return on account of torture, ill-treatment or other serious breaches of human rights obligations. This principles meant that all states in the international system are supposed to allow refugees into their country for protection. (United Nations Human Rights, 2020)

The developed countries in Europe and North America are not following this principle therefore not protecting the rights of refugees. These states have put polices in place to protect their borders for, illegal immigrants traffickers even refugees. These advanced states have used military operations at the border, sending the refugees back to their country, neglecting the basic needs of the refugees, using detention camps to isolate the refugees also paying other countries to reduces the influx of refugees. These mechanisms which the developed country used to neglect refugee rights

Developed European states have fortified their borders to keep irregular migrants away, mostly asylum seeker out irrespective of why they came and how desperate they are. The European Union has created an advanced surveillance systems around her borders claiming to protecting Europe from illegal migrates funded by its member states including Bulgaria and Greece. This system enables border patrols to be more eff Refugees are also being unlawfully expelled from Spain, Greece etc. most immigrants are also maltreated by the border patrol and coast guard, sometime the immigrants are treated with lengthy detention in order to discourage them from seeking refuge in that country irrespective of what that individual is suffering from or whatever is going on in that individual’s country. Also for country like the United States of America to attempt building a wall around its borders show how far they’ll go to keep immigrants out. European countries have also made deals with countries where its citizens tend to seek asylum in order countries to make it easier for them to send the refuges back to their coumtries. Over 250,000 people are estimated to have lost their lives trying to reach Europe since 2000.

Nonetheless, EU Member States, challenges remained regarding legal assistance and information, conditions in detention facilities and the detention of vulnerable persons. the use of immigration detention increased in certain EU Member States covered. Obstacles to obtaining legal aid and/or information were reported in some EU Member States (European Union Agency For Fundamental Human Right, 2018). Asylum seekers are not provided with basic amenities and many suffer from various ailments without proper care. The government has left them there for years without deciding their cases. Countries like Australia have detention camps where asylum seekers are kept. Most of these camps are inhabitable.

 Refugees are also expelled from countries like Isreal They government was bent on sending them back, and threatened that they either leave with the countries provided free flight or face imprisonment., Turkey also is not safe for refugees

In 2017 the UNCHR received reports from 622 survivors of gender-based violence stranded on the Greek islands. In almost 30 per cent of the cases the violence occurred after the person arrived in Greece. Of all the incidents registered by the agency in the country during the second half of the year, 80 per cent of the survivors were female. the truth is likely even worse, as sexual violence is hugely underreported for a number of reasons. Many women and organizations supporting them told us that women are reluctant to come forward with formal complaints due to social stigma, fear of reprisal from perpetrators, lack of trust in the protection system or because they believe that they will be stuck in Greece if they report the violence. Since 20 March 2016, asylum-seekers arriving on the Greek islands have not been allowed to move onto mainland Greece. This is because of an agreement between the EU and Turkey, dubbed the EU-Turkey deal, that requires they are returned to Turkey. People with family reunification claims, most of whom are women or individuals who are considered vulnerable according to Greek law, are meant to be exempted from staying on the islands. In theory, they should quickly be transferred to mainland Greece, but the reality is different. Officers and medical staff in the camps do not always have the skills or time needed to identify those who should be sent to mainland Greece. And even when people are identified, they have to wait for several months until space is found for them on the mainland. (Monica Costa Riba, 2018).

# References

European Union Agency For Fundamental Human Right. (2018, Febuary 5). *Migration to the EU: five persistent challenges*. Retrieved from European Union Agency For Fundamental Human Right: https://fra.europa.eu/en/publication/2018/five-persistent-migration-challenges

Lexico. (2020, Apirl 29). *Definition of refugee in English*. Retrieved from Lexico: https://www.lexico.com/en/definition/refugee

Monica Costa Riba. (2018, October 5). *Women face daily dangers in Greek refugee camps*. Retrieved from Amnesty International: https://www.amnesty.org/en/latest/campaigns/2018/10/women-daily-dangers-refugee-camps-greece/

United Nations Human Rights. (2020, april 29). *What is the principle of non-refoulement?* . Retrieved from The principle of non-refoulement under international human rights law : https://www.ohchr.org/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf