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**16/SMS09/067**

## **HUMAN RIGHTS IRD 406**

### **Assignment**

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

#### **Introduction**

The Western nations that established the international refugee protection system fifty years ago are the same ones weakening it today. Marking the fiftieth anniversary of the establishment of the United Nations High Commissioner for Refugees, Human Rights Watch charted the erosion of refugee protection throughout Western Europe, where punitive policies toward asylum-seekers have obstructed the right of individuals to seek and enjoy asylum. "European countries, as well as North America and Australia, have systematically diluted their responsibilities towards refugees over the past ten to fifteen years," said Rachael Reilly, Refugee Policy Director at Human Rights Watch. "These countries were the primary architects of the international refugee regime in the aftermath of the Second World War - but they are also primarily responsible for its demise."

#### **NORTH AMERICA: CASE STUDY UNITED STATES OF AMERICA**

In 1981 President Ronald Reagan vowed to "continue America's tradition as a land that welcomes peoples from other countries" and to "continue to share in the responsibility of

welcoming and resettling those who flee oppression.” Now would be a good time to step up. The new global trends report from the United Nations High Commissioner for Refugees (UNHCR) shows an increase in the record number of forcibly displaced persons in 2017, including 25.4m refugees. Yet in the middle of this crisis Donald Trump’s administration has opted to close the nation’s doors to refugees and to abdicate American leadership.

Nine months after coming into office, Mr Trump set America’s refugee admissions ceiling at only 45,000. Yet since then, the country has resettled just 14,887 refugees, putting it on track to admit the lowest number of refugees in the programme’s 38-year history. In addition, the Trump administration has eliminated the Central American Minors programme, which allowed refugee children from Northern Triangle states (El Salvador, Guatemala and Honduras) to enter the United States to join their parents, who are in the country legally. It also terminated temporary protected status for 200,000 El Salvadorans, 57,000 Hondurans, 50,000 Haitians, and smaller numbers of Nicaraguans, Sudanese and Nepalese. In addition, it ended Deferred Enforced Departure (deferral of removal) for 4,000 Liberians who fled to the United States more than 20 years ago.

The administration has also taken several steps to kick asylum-seekers out of the US and to prevent and deter others from coming. Beyond supporting migrant interdiction programs in Mexico and Central America, US border officials regularly deny access to the US asylum process, in violation of US law, to migrants who express a fear of returning home or who request asylum.

Recently, the US Department of Justice (DOJ) has instituted a “zero tolerance” policy for illegal entry: it now seeks to prosecute 100% of these cases, including those of asylum-seekers who enter between ports-of-entry. It is now also government policy to separate children from their parents at the border. Exacerbating matters, the federal Office of Refugee

Resettlement has begun to share information with Immigration and Customs Enforcement (ICE) on potential sponsors with whom the children in its custody might be placed. Because ICE runs immigration checks on sponsors, placement of the children with safe family members (including parents) will now be less likely.

Trump's administration broached with Mexico the idea of entering a safe-third country agreement, which would bar migrants who have passed through Mexico from seeking asylum in the United States. It now proposes to take this step unilaterally, without a treaty or agreement. However, regular reports of murder, kidnapping, rape and extortion of migrants in Mexico undermine the claim that Mexico is a safe country for asylum-seekers.

Jeff Sessions, the attorney general, has also issued a ruling that will make it nearly impossible for those who have no legal recourse in their home countries, and who are fleeing domestic abuse or gang violence, to secure asylum in the United States or even to make an asylum claim and avoid expedited removal. DOJ has also revised its guidelines on child-friendly court proceedings, citing the need to combat fraud, as if eight-year-olds might hoodwink immigration judges and ICE attorneys.

Traditionally, America has resettled more refugees than any other state and it still contributes a big share of UNHCR's budget. The Trump administration's policies suggest a reversal of this. In the first eight months of this fiscal year a measly 46 Syrian refugees and 11 South Sudanese refugees were resettled in the United States. By contrast, Turkey, Lebanon, Jordan, Iraq and Egypt—all poor countries—host more than 5.6m Syrian refugees, as well as large refugee populations from other nations.

The United States played a leading role in responding to the huge refugee crises following World War II, the Vietnam conflict and the Cuban revolution. As every other administration in recent history has recognised, saving the lives of the world's most vulnerable people

reflects American values and shows the world what we stand for. By contrast, the Trump administration's efforts to dismantle U.S. refugee protection programmes will stoke anti-refugee sentiment and exclusionary forms of nationalism in many countries and encourage other states to follow its example. Such policies will not only damage America, but also the world. (Watch, 2000) (Kerwin, 2018)

## **EUROPE: CASE STUDY UNNITED KINGDOM**

The EU's latest response to the migrant crisis – as put forward in the European Agenda on Migration – marks a significant change in direction. Of course, it still outlines measures to prevent the arrival of immigrants. But it also argues for a permanent system to share the responsibility for large numbers of refugees among member states, and proposes an EU-wide resettlement scheme, offering 20,000 places to refugees.

Unlike the proposals to attack and destroy smugglers' boats, give extra funding to the EU's border security programme, and return migrants who do arrive, these measures would be far more in line with the idea that the EU's member states, such as the UK, have "a proud history of offering asylum to those who need it most".

Despite having granted asylum to around 4,000 Syrian refugees who arrived under their own steam, the UK is reluctant to resettle refugees: it resettles only around 750 refugees per year, and has accepted only 174 of the 200 Syrian refugees it pledged to take in early 2014. This is against the stark backdrop of 3 million Syrian refugees, among a total of 9 million displaced Syrians. In June 2000, UK Home Secretary Jack Straw proposed that individuals from countries that E.U. governments considered to be "safe" should be excluded from refugee protection.

## Reference

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