

Human Rights Committee

Implementing measures to protect the rights of migrants



[NYC Confronts Homelessness Crisis as Shelters are Overwhelmed - The New York Times \(nytimes.com\)](https://www.nytimes.com)



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Forum: Human Rights Committee

Issue: Implementing measures to protect the rights of migrants

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Introduction

On September 19, 2016, the United Nations General Assembly unanimously adopted the New York Declaration for Refugees and Migrants, with this declaration the member states reaffirm the importance of protecting the rights of migrants.

All over the world migration takes place, while many migrate out of free choice, some are forced by factors out of their control such as poverty, persecution, human right violations, discrimination etcetera. This is why the UN has a wide range of comprehensive legal framework to ensure that these migrants get the protection and help they desperately need.

To implement measures to protect the rights of migrants is vital to all member states. This is to ensure that universal documents such as the International Declaration of Human Rights are respected and to make sure that basic human rights are preserved in all situations for all individuals.



Definition of Key Terms

Migrant

The UN Migration Agency, International Organization for Migration (IOM), defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person's legal status.

IOM

International Organization for Migration (IOM), (also known as the UN Migration Agency).

TCNs

Third-country nationals, people who live in a lesser economically developed country

BIPs

Beneficiaries of international protection, individuals who have been granted a refugee status

Destination country

The desired destination of a migrant

General Overview

As mentioned in the introduction, even though migrants are entitled to all kinds of rights, this is not the case in many situations. International migration has grown enormously in the past decades, between 1970 and 2017 the number of international migrants has increased from 82 million to around 244 million, comprising 3% of the world's population. The past decades have also shown us that migrants, in comparison to before, are now migrating from a wide range of countries, with only a handful of countries as their destination.

Throughout the centuries leading up to this point migrants have always faced many issues. In the Middle-Ages (300 - 900 AD) migrants would often be seen as invaders or charlatans. Diseases or disasters that would strike a town or area would



often be led back to them causing the inhabitants to rally up against them and it would sometimes even lead to enslavement or death.

During the Age of Discovery (approximately 15th until the 17th century) European countries started to explore more lands and discovered new cultures and its people. More people started to move to these new countries, migration started to happen on a bigger scale, and people started to make arrangements to make migration easier and more attractive.

Currently migrants still face tons of issues such as racism, abuse, exploitation, neglect and other breaches of basic human rights. Wealthy corporations are actively and collectively trying to stop migrants and asylum seekers from leaving the borders of their territory forcing them to take dangerous and in some cases life threatening journeys to reach a safe country. When starting their journey both forced and voluntary migrants engage in illegal ways to reach their destination as they see no other viable solution.

In some parts of South America we are witnessing increasingly strict regulations and policies preventing migrants from safely beginning or continuing their journey. All humans have the right to migrate and to restrict this goes against basic human rights.

In addition to this first problem, there are still issues that await migrants after they have made their journey to another country. When coming to a border the issue of the complex migratory processes make it hard to firstly enter a country, but after that to become a BIP (Beneficiary of international protection) is an incredibly hard and long process. During the time in which it all has to be processed by the destination country, the accommodations are not humane in some cases. The buildings they are meant to stay in are overcrowded causing some people to sleep in a tent outside. In August 2023 close to 200 people were lined up outside of the migrant intake center in New York (US), sleeping on the sidewalks, head resting on book bags and waste bags full of belongings by their side.

Major Parties Involved

United States of America

The country who receives the biggest amount of migrants each year

European Union (EU)

The EU and its member states who receive a big amount of migrants each year

ILO (International Labour Organization)

ILO's work involves protecting the rights of migrant workers

United Nations High Commissioner for Refugees (UNHCR)

(The UN Refugee Agency) The UNHCR's work involves protecting refugees and migrants. The organization leads international action to protect people forced to flee conflict and/or persecution and those denied a nationality

International Organization for Migration (IOM)

IOM works to help ensure the orderly humane management of migration to promote international cooperation on migration issues and to help migrants

United Nations Relief and Works Agency (UNRWA)

A UN body responsible for the refuge of migrants from Israeli-Palestinian conflict

Timeline of Events

1985 - Establishment of regional consultative processes (RCP) on migration, an international dialogue engaging over 50 governments and more than 10 international organizations

December 18, 1990 - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly of the United Nations, by this the rights of Migrants and their families were ensured.



1994 - The Programme of Action of the International Conference on Population and Development. This programme has guided global action on migration for over a quarter of a century. It highlights the rights of documented migrants and it provides concrete ways to help undocumented migrants

1997 - Human Rights Commission establishes Working Group on Migration

September 19, 2016 - New York declaration for refugees and migrants

The New York Declaration reaffirms the essence of the international refugee regime and contains a wide range of commitments by governments to strengthen and enhance mechanisms to protect migrants and refugees.

December 17, 2018 - Global Compact on Refugees, affirmed by the General Assembly of the United Nations, provides a unique chance for governments, international organizations, and other stakeholders to work together to make sure that refugees can lead productive lives and that host communities receive the support they need to achieve this

Previous attempts to solve the issue

The creation of RCP's was one of the attempts to solve the issue, Regional Consultative Processes are a number of regional and trans-regional networks used by states for informal dialogue and the sharing of best practice, in ways that formed an alternative to formal multilateral governance. By doing this they tried to make regions and thus countries cooperate on a much larger scale. It did improve the situation but it did not solve the issue we are facing.

In 2005 the ILO tried surveying the existing norms and legal framework, but due to the lack of binding principles guidelines for member states, this ultimately failed. After this the legal framework became more complicated and detailed.

Possible Solutions

There have been multiple proposed solutions, yet none that have been implemented to make a large difference.

One such solution could be finding ways to make the journey to a destination country not only safer but in some cases legally possible. This is paramount as we need to ensure migrants will not use illegal ways to enter another country. A UN body or an independent international organization could be set up, to improve this and to supervise that when it is improved it stays that way.

Another could be finding ways to improve the complex migration processes by making them faster and easier. This could happen by improving international communication and improving the technology used for these processes.

International standards for the refugee centers meant to give shelter to migrants upon first arrival could be implemented and funds where necessary to keep up with these standards.

It may be impossible to completely change the issues migrants face but if international measures are put in place to protect the rights of these migrants, all migrants could have a fair shot at a new life.



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