

Human Rights Committee

Addressing discrimination against migrants and refugees in a politically divided world



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Forum: Human Rights Committee

Issue: Addressing discrimination against migrants and refugees in a politically divided world

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Introduction

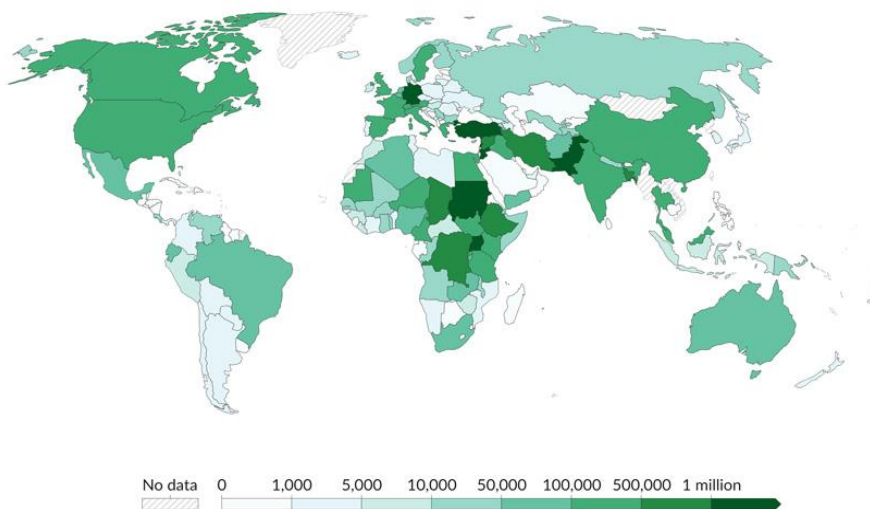
Globally, as of May 2024, there were more than 120 million people who were forcibly displaced because of war, conflict or persecution. The United Nations High Commissioner for Refugees (UNHRC) warns that this number could reach upwards of 139 million people in 2025, as the number of escalating conflicts, ongoing crises and cases of persecution are increasing.

Political instability is a driving force as to why more and more individuals are without a home, leading to a significant rise in the displacement of people and additional strain on host countries who are already undergoing a global refugee crisis. Moreover, according to the United Nations, in the past 15 years, “more than half the world’s population has lived in direct contact or proximity to significant political violence.” The political instability in host countries also leads to increased numbers of organized crime and attacks against migrants and refugees.

These statistics lead to discrimination against this demographic by nationals in host countries. This, in turn, leads to greater societal issues which have an impact on governments and government decisions, where laws regarding the limitation of the rights of migrants and the deportation of asylum seekers are passed.

Refugee population by country or territory of asylum, 2021

The total number of refugees¹ by country that they are seeking asylum in.



Data source: UN High Commissioner for Refugees (via World Bank)

OurWorldInData.org/migration | CC BY



Definition of Key Terms

Apostasy

Apostasy is the abandoning of a religious or political belief by someone who formerly held that belief.

Asylum

The protection or safety given by a government to people who have been forced to leave their home country as a result of human rights breaches and/or persecution.

Asylum-seeker

A person who has left their country and is seeking shelter in another country, who has not been legally recognized as a refugee and is waiting to receive a decision on their asylum claim.

Blasphemy

The act of speaking offensively about God or sacred things. Blasphemy is illegal in numerous countries.

Discrimination

The practice of treating a person/multiple people of a specific group unfairly and differently from the way in which other people are treated – this term usually carries a negative connotation.

Human displacement

The forced relocation of groups of people by the consequences of war or oppression.

Internally Displaced People

Internally displaced people are people who have been forced to flee their home because of conflict, war, violence or persecution, but, unlike refugees, are still within the borders of their country.

Migrant

A person who moves from their place of usual residence to another location, whether in the country of residence or across international borders, regardless of whether this movement is voluntary or not.

Nationals

Citizens of a country who are native to and/or born in the country in question.

Political Division

The ideological and cultural differences between governments, social groups and political parties.

Political Violence

The violence perpetrated to achieve political goals or ambitions.



Refugees

People who have fled and left their home country because of serious human rights violations and are either at risk of persecution or have already been persecuted. Refugees have a right to international protection, according to Amnesty International.

Social Exclusion

The act of excluding someone/a group of people from the social system, where individuals are pushed towards or kept to the margins of society, typically because of the fact that they belong to a minority social group.

Stereotypes

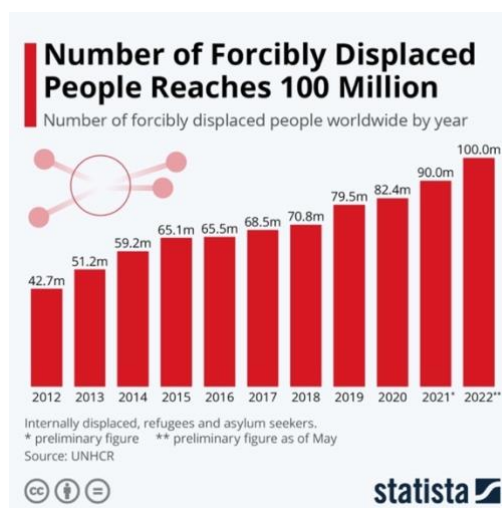
A widely held and fixed view or assumption of all individuals based only on their membership in a specific group, regardless of their individual characteristics.

Xenophobia

The fear or hatred of strangers or foreigners – the dislike and prejudice of people from other countries or cultures. This can manifest as a hostility towards immigrants and refugees.

General Overview

In a world of political division, it is hard to establish international, unified agreements on migrants and refugees, as most political parties have conflicting ideas, especially on foreigners. While one country may welcome asylum seekers, another one might have strict asylum policies. These very gaps in protection leave migrants vulnerable to discrimination – especially as global tensions between countries cause tens of wars and more than 10,000 combat-related deaths in 2024. As a result, of the 2 billion affected people who live in war and conflict-affected regions, millions decide to flee.



Reasons of persecution

Besides the leading reason for the fleeing of refugees, conflict and political instability, there are multiple other reasons why people choose or are forced to leave their country, as elaborated below. The types of discrimination listed are, according to the Geneva Convention, the 5 grounds on which a claimant can (legally) fear persecution and on which refugee status is recognized. All these types of discrimination are also prohibited in Europe, under the European Convention on Human Rights Section I, Article 14.

Religious discrimination and persecution

Practicing a different religion or holding other religious beliefs than the official religion is strictly illegal in some countries like Saudi Arabia or Qatar, but the law can also limit religious freedoms, like in Mauritania, where the law prohibits offending God and sacred things as

well as apostasy. In Pakistan, freedom of speech is limited by outlawing blasphemy – with punishments ranging from a fine to the death penalty.

A recent example of religious discrimination is that of the Shia Muslim minority in Saudi Arabia. As a result of an order given in this kingdom, on March 12, 2022, 81 men were executed by the government (its largest mass murder executed in years). This happened despite Crown Prince Mohammed bin Salman's promise to restrict the use of the death penalty, except for cases in which it was needed by the Islamic scripture (the Qur'an). Many of the executed people were convicted of charges linked to protests – these protests were alleged to be threats against national security, although they were just demands for equality and the end of religious discrimination. Some of the individuals were described as having "deviant beliefs", and according to the Human Rights Watch, 41 of the 81 men (3 of them having been convicted of murder charges) were part of a Shia Muslim minority, who have long suffered discrimination and violence at the hand of the Saudi Arabian government.

Some important international agreements on this topic to be aware of include:

- Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981)
- The European Convention on Human Rights – Section I, Article 9 – "Freedom of thought, conscience and religion"

Ethnic or racial discrimination and persecution

Ethnic or racial discrimination, where people are treated differently because of their genealogy, their origin or their race/color, is also a reason for persecution. One of the most recognized examples of ethnic discrimination in modern times is that of the Rohingya people, who had been living in Myanmar for centuries, but were denied recognition as one of Myanmar's official 135 ethnic groups. In 1982, they were rendered stateless by a law passed in Myanmar that denied them citizenship. Then, in 2017, 1.4 million Rohingya people living in Myanmar were targeted by the local military who persecuted and killed around 30,000 of them (known as the Rohingya genocide). This caused over 740,000 people to flee to Bangladesh, and this mass displacement was investigated by the International Criminal Court and the International Court of Justice for crimes against humanity and genocide.

Some international agreements and conventions on the topic of racial or ethnic discrimination include:

- Universal Declaration of Human Rights (1948) – Articles 1-5 on Equality, Non-Discrimination, Right to Life, Liberty, and Security of Person
- International Convention on the Elimination of all Forms of Racial Discrimination (1966)
- There is also a committee made by the UN on this topic – the Committee on the Elimination of Racial Discrimination



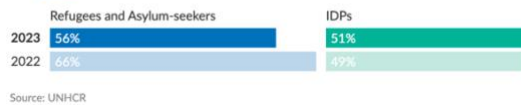
Membership of a particular social group

Discrimination against women and girls

The risk of gender-based violence and crimes against women and girls increases in times of conflict and displacement. The 60 million people belonging to this demographic who are



4.1 Proportion of people who know where to access available gender-based violence services



forcibly displaced face even more serious threats against their safety – according to UN Data, reports of conflict-related sexual violence have increased by 50% from 2023 to 2024 (with 95% of these instances being against women and girls). Access to justice and the law system in these situations also remains very limited, and approximately half of the survivors still do not know where to access gender-based violence services.

Achieving gender equality is the 5th Sustainability Goal of the UN, however, according to the organization, at the current rate, it will take 286 years to close gaps in legal protection and to remove discriminatory laws.

Discrimination against the LGBTQ+ community

There are 64 countries worldwide in which homosexuality is criminalized – of which around half are in Africa. Countries like Singapore and Barbados continue to pass laws against the LGBTQ+ community, but also Nigeria and Uganda are strengthening their anti-homosexual laws. On the other hand, countries like the Netherlands, Canada and Norway are becoming more LGBTQ+ friendly.

Political opinion

Under the 1951 Geneva Convention, people who are persecuted because of their political opinions can qualify for refugee status. Having a different political opinion than the majority, expressing nonconforming views about the government, fighting for democracy and opposing oppressive regimes are all examples of different political opinions that could possibly lead to persecution.

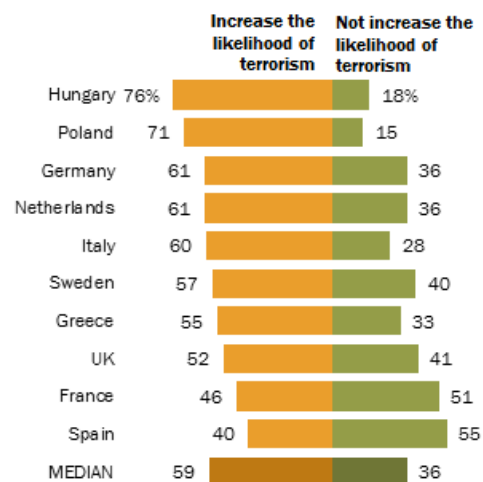
An example of such persecution is the case of María Corina Machado, who was banned from running in the Venezuelan presidential elections despite winning the opposition primaries. This action was heavily criticized by countries like Argentina, Chile, and the US, as well as the UNHRO (United Nations Human Rights Office). The organization called out the government for the fact that more and more people in Venezuela are persecuted for their political participation.

Political division and discrimination against migrants and refugees in the host country

All around the world, refugees and migrants face a multitude of challenges, such as xenophobia, stereotypes, and ethnic intolerance and assaults. Discrimination, in its various forms such as

Many Europeans concerned refugees will increase domestic terrorism

Refugees will ___ in our country



Source: Spring 2016 Global Attitudes Survey.

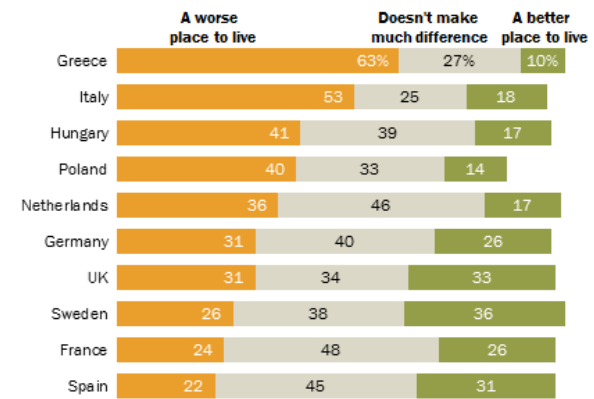
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religious, ethnic, racial, or gender-based, is not only one of the causes of forced displacement but also a consequence in host countries, where refugees and migrants undergo a cycle of marginalization and hostility. With an increasingly negative portrayal by the media, politicians and public officials in many western countries have antagonized and openly opposed refugees and migrants. These people are also unfairly blamed for societal issues such as rising unemployment and crime rates (exclusionist identity framing), resulting in a general societal reluctance to offer support to refugees or migrants looking for shelter and support. This contributes to the rise of xenophobia and racist violence, promoting an environment in which foreign cultures and ideas are not accepted.

Few Europeans say growing diversity makes their country a better place to live

Overall, do you think having an increasing number of people of many different races, ethnic groups and nationalities in our country makes this country a better place to live, a worse place to live or doesn't make much difference either way?



Source: Spring 2016 Global Attitudes Survey.
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Furthermore, considering many countries are occupied with their own socio-economic issues, and noticing the global rise in nationalism and nationalistic practices, countries are becoming increasingly refugee-unfriendly, and more are reluctant to accept large amounts of refugees.

The effect of media on migrants and refugees

As the number of refugees rises, media coverage has also increased considerably, and it has been overwhelmingly negative. This general bias against migrants has a direct impact on asylum seekers – discrimination, social isolation, and xenophobia. According to the Ethical Journalism Network, “there is a tendency, both among many politicians and in sections of the mainstream media, to lump migrants together and present them as a seemingly endless tide of people who will steal jobs, become a burden on the state and ultimately threaten the native way of life.”

Migration is more and more perceived to be a political issue – detached from the broader humanitarian context. As the press is becoming increasingly polarized on the topic of migration and refugees in many countries, this can lead to the emergence of fear and even conspiracy theories. To illustrate this, in 2017, as the number of migrants arriving via the Black Sea in Romania was increasing, the press at first presented it as a humanitarian issue. However, this was followed by more negative headlines such as “Muslim invasion” or “worrying numbers”, until finally, a full polarization of opinions in the media occurred – leading to confusion and fear in the public. Moreover, a study from 2016 by Balch and Balabanova found that the media coverage of immigration in Bulgaria and



Romania was commonly presented in relation to welfare chauvinism and economic nationalism.

It was also found that in 62% of the articles, the refugees were presented as nationals of a specific country, less than a third of them referred to their age group, and only 16% of all articles included their names. From all this, readers are desensitized to the issues since media portrays the refugees as nameless, anonymous people who are part of another country. Very few pieces in the media actually showed interviews with migrants or refugees – further dehumanizing and de-individualizing them.

Another study conducted by Baker et al. (2008) discovered that the words “migrants” and “immigrants” are often coupled and associated with an economic threat (for example increased competition on the labor market and fewer available jobs) while “refugees” and “asylum seekers” tend to be associated with an economic burden. People are more interested in, and reactive to, negative news, so the majority of information and coverage in the media is presented negatively – including news on migration, refugees and asylum seekers. As such, these news stories are often presented as problems or crises, with dramatic headlines that potentially misinform or disinform people.

The deportation of asylum seekers and the relevance of Australia and the UK on this topic

The process of asylum application – the seeking of asylum, is a human right. However, in 1992, Australia adopted a mandatory detention policy, in which the government was obliged to detain people coming into their country without a visa. Afterwards, it adopted a government policy which said that no person who arrives by boat seeking asylum can be settled in Australia – instead, the island Nauru was used as a “remote site of offshore processing” for the asylum seekers, where they were put in “processing centers”. The living conditions in these centers, however, have been criticized by the UN, Human Rights Watch, Amnesty International and dozens of countries worldwide. After years of controversial operation, the offshore processing center closed, but remained in disuse only for a few months. As of September 2024, the Nauru processing center is open again, and refugees are being transported from Australia back to Nauru. About 85 people are held in the center now, and fears are that they will be there for years to come.

On the other side of the world, in 2022, the Rwanda Asylum Plan was announced by former UK Prime Minister Boris Johnson, a plan that allowed the United Kingdom to relocate people whom they classified as illegal immigrants or asylum seekers to Rwanda, for the processing of their application but also for asylum and resettlement. Those granted asylum would remain in Rwanda – they would not have permission to return to the UK. The United Kingdom pledged financial support for the relocation and the accommodations in Rwanda. However, this plan was stopped by the European Court of Human Rights and the Court of Appeal, but the Courts’ decision was overruled by the Safety of Rwanda (Asylum and Immigration) Act 2024. Then, in July 2024, following Keir Starmer’s success in the UK general election, he declared the Rwanda asylum plan would be cancelled and replaced by the Border Security Command.

Major Parties Involved

Australia

Australia was the first country to start deporting asylum seekers to LEDCs (Lesser Economically Developed Countries) for their processing. This action has been criticized by many countries and organizations because of the lack of decent living conditions in their refugee location centers.

Denmark

Laws on immigration in Denmark have become increasingly refugee-unfriendly – on June 3rd, 2021, the government adopted an amendment to the “Aliens Act”, that passed with a strong majority, and that allowed Denmark to transfer asylum seekers to a third-world country outside of the European Union (EU) while their application was being processed. This was presented by the Danish government as a humane and innovative alternative to what was perceived as an “unfair and dysfunctional” asylum system, although this decision has been highly criticized.

European Union (EU)

The Common European Asylum System used within the EU sets standards and policies to ensure the equal and fair treatment of migrants in this area. The European Union has also adopted various rules to manage migration flows, return illegal migrants and process asylum requests. The EU has the power to play a leading role in protecting migrants and reducing the number of refugee journeys back to the country of origin, but organizations like the UNHCR still call upon the EU (specifically the European Parliament) to adopt the “seven actions” that could help better protect refugees.

Germany

Germany is the top destination for refugees in the European Union. In October 2024, it had 22,000 applications – 22% of all applications in the European Union that month. In September 2024 it received 47% of all Syrian EU applications.

United Kingdom (UK)

In 2022, the United Kingdom tried to enforce the “Rwanda asylum plan”, that would allow the UK to deport asylum seekers to Rwanda while their application was being processed. If they were granted asylum, they would have to remain in Rwanda, they would not be permitted to return to the UK. This plan faced heavy criticism from the public and was cancelled by Keir Starmer after he became Prime Minister in July 2024.

UN High Commissioner for Refugees (UNHCR)

The UNHCR is one of the largest recognized refugee programs that strives to ensure that all people, having fled from violence and persecution, have a right to seek asylum and live in safety.

The United States of America

Since Donald Trump’s first presidency, people have become less welcoming of immigrants, especially illegal immigrants. Trump has promised to mass deport illegal immigrants using detention camps and has also famously built the Mexico-United States border wall, said to reduce illegal immigration. On the 29th of January 2025, the United States also



adopted the Laken Riley Act, that allows federal authorities to detain illegal immigrants if they are accused of a crime, and potentially deport them before they are even convicted.

Timeline of Events

Date	Description of event
1951	The Refugee Convention is signed and implemented. In this convention, the term “refugee” is defined, and the rights of refugees and their international standards of protection are outlined. Articles 3 and 5 of this convention give refugees the right to non-discrimination, however in reality, the extent to which these specific articles are applied is limited.
1966	The International Convention on the Elimination of All Forms of Racial Discrimination is enforced, A/RES/2106 (XX).
1981	The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, A/RES/36/55 is enforced.
1992	The detention of all asylum seekers arriving by boat in Australia becomes mandatory.
2015	The 2015 European migrant crisis occurred – a period where Europe received a high influx of approximately 1.3 million migrants and refugees, primarily from the Middle East.
October 2016 – January 2017	The first phase of the Rohingya genocide: a military crackdown.
2021	The war in Afghanistan led to an estimated 2.6 - 2.7 million refugees.
Present	The Russian invasion of Ukraine causes approximately 9.2 million people to flee the country.

Previous attempts to solve the issue

UN resolutions on combatting discrimination against migrants and refugees

- New York Declaration for Refugees and Migrants (A/RES/71/1)
- Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1) – “People who are vulnerable must be empowered. Those whose needs are reflected in the agenda include all ... refugees, and internally displaced persons and migrants. We resolve to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies.”
- Modalities for the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, adopted on the 22nd of January 2018.

Although numerous efforts have been taken by the UN to protect refugees’ and migrants’ rights, UN resolutions are not legally binding on Member States (except for those of the Security Council, potentially), so there is little security in the countries carrying out orders on such controversial topics, and where results are not so easily quantified.

International agreements and campaigns



- Dublin Agreement – European Commission (EC). This agreement declares that no country within the EU should “shoulder a disproportionate responsibility and that all Member States should contribute to solidarity on a constant basis,” regarding refugees and migration.
- Pact on Migration and Asylum – European Commission (EC)
- International Migration and Human Rights – Global Commission on International Migration
- In November 2020, the European Commission launched a program for the integration of refugees and migrants into education and training, with the following focuses on (as per the EC’s official website):
 - The language assessment and the integration of unaccompanied minors through education,
 - The reception of newly arrived migrants and the assessment of previous schooling,
 - The recognition of refugees’ qualifications,
 - Intercultural dialogue as a tool to address migration, refugees and asylum-seekers in educational contexts,
 - Linguistic and cultural diversity,
 - The development of integration policies for migrants - principles, challenges and practices.

The number of international agreements and conventions on discrimination is vast – though most of the time they do little more than remain words on paper. The most effective ways of combatting discrimination against migrants and refugees still remain through educational campaigns and balanced reports in the media.

Possible Solutions

Balanced media coverage

Media is an important tool in society that has the power to shape many opinions on controversial topics, such as migration. The media, both at the national and international level, should contain balanced (non-biased) pieces, which include both the opinions and interviews of politicians and officials, but also those of the migrants and refugees themselves. As well, the media should be regulated to remove false information, stereotypes or the encouragement of abuse and discrimination against migrants.

Preventing discrimination through education

The root causes of discrimination against migrants and refugees must be addressed early on in schools, where children should learn about discrimination, and not to falsely antagonize immigrants, stopping harmful societal norms. They should learn about the causes of the displacement of migrants and refugees, and about equality, diversity and human rights.

Legal aid and the strengthening of national laws

Accessible legal aid that is free of possible language barriers should be available to all migrants if their rights have been breached. As well, countries should take action to fortify their own national laws regarding migrants’ and refugees’ rights.

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