

Committee: SOCHUM 2

Topic: The Question of Migrants' Rights

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Summary

According to the International Organization for Migration (IOM), there are over 280 million migrants across the globe, which equates to 3.6 percent of the world's population. Despite the increasing number of migrants, the issue of migrant rights has long been a cause of disagreement in many countries. The issue of migrant rights not only pertains to the right to enter a country, but also, whether migrants are able to enjoy comparable rights as nationals, such as the right to non-discrimination and the right to healthcare. Considering the vulnerability of migrants, and the high possibility of them being exploited, many states have increased their assistance to migrants economically and socially. However, some states remain a less supportive attitude towards migrants, holding a principal justification that locals should be prioritised over migrants especially in terms of social welfare.

Definition of Key Terms

Traumatization – the mental suffering of a migrant who has experienced hostile conditions such as abuse, domestic violence, extreme deprivation etc. in his country of origin

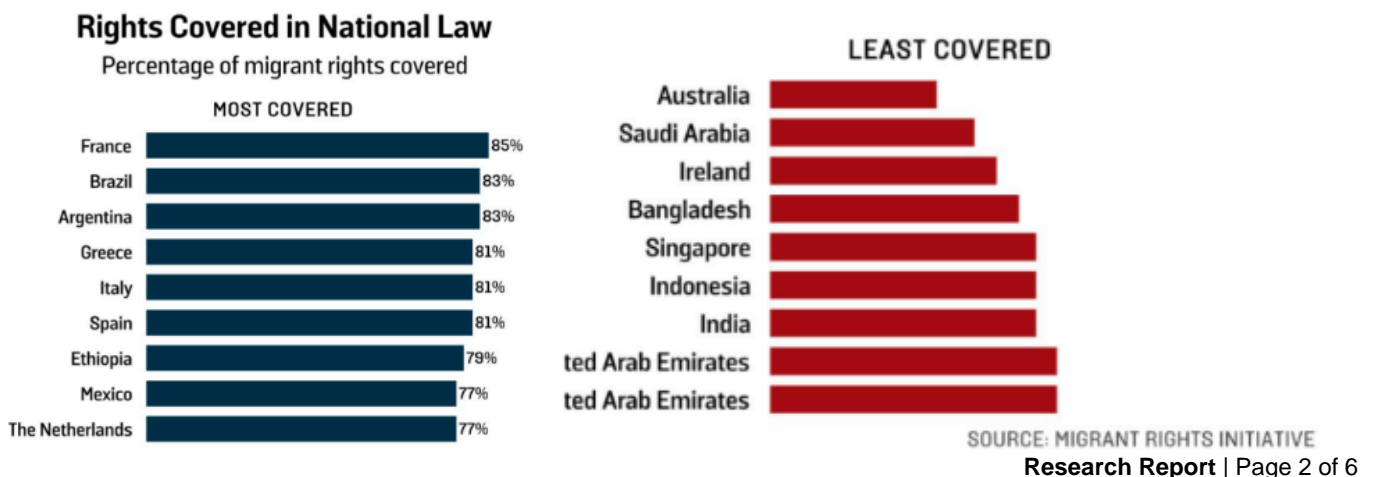
Undocumented – the status where migrants entered a country illegally without government permission beforehand. More and more migrants are undocumented as immigration policies in many countries have become harsher

Exploitation – criminals taking advantage of migrants' vulnerability and violating their rights

Cultural and social integration – migrants attempting to incorporate into the structure of a country

Background Information

Migrants are inevitably one of the most vulnerable groups in society and are often subjected to human rights violations. According to a survey conducted by IOM, more than 70% of migrants travelling overland through North Africa and Europe have become victims of human trafficking and exploitation. This reflects how migrants are taken advantage of, since they are unable to raise grievances which may lead to deportation. Migrants' rights are often violated by members of the authority through physical abuse during prolonged periods of detention. For example, conditions of detention facilities may be cruel and inhumane. One of the possible reasons is the lack of funding from the government as they may refuse to provide resources to migrants which they may consider as low economic value. Moreover, even if migrants have entered the country through legal channels, they may enjoy less economic and social support compared to nationals. According to research organisation CATO Institute, immigrants are entitled to less welfare than locals, for instance, immigrants consumed about 27 percent less welfare and entitlement benefits in 2020 than native-born Americans. However, instead of discrimination or bias, this discrepancy might be due to the lack of documentation for migrants to apply for social benefits. Different countries have taken different approaches towards the issue of migrants' rights. According to the analysis from Justin Gest, a professor at George Mason University's Schar School of Policy and Government, countries such as France, Brazil, Argentina have over 80 percent of migrant rights covered in national law. However, countries like Australia and Saudi Arabia only have less than 40 percent of migrants' rights covered in law. The varying levels of protection of migrants' rights may be due to a range of factors, such as various levels of migrants received.



It is believed by many that migrants' rights are pivotal. Migrants move to a more developed country often because of war, hunger, forced labour or other types of inconceivable suffering. A developed country has the responsibility to provide what is necessary for migrants instead of traumatising them again. Migrants' rights are important as a lack of support towards migrants will lead to social problems such as crime. According to UCL professor Christian Dustmann, limiting migrants' welfare will lead to a significant increase in criminality, which may eventually result in a larger financial burden.

However, some experts hold a less positive attitude towards migrants' rights. It is because a vast number of migrants may lead to a huge increase in public expense, eventually affecting local residents. It is also worth considering that many migrants are undocumented, and some may believe a country has no responsibility to provide equal support to a citizen and an illegal, undocumented migrant.

For UN experts, the rights of migrants are paramount as it is an important part of human rights. International community should focus on protecting those exposed to danger and exploitation with an aim to reach equity. The protection of migrants' rights also promotes an indiscriminate and inclusive attitude in society.

Major Countries and Organizations Involved

International Organisation for Migration – An organisation under the United Nations established in 1951 with 171 countries, with an aim to save lives of migrants, drive solutions to displacement and facilitate pathways for regular migration. For example, it provided food, hygiene kits etc. to South American migrants under deprivation.

Germany – Due to intensifying confrontation in surrounding areas, Germany has received the highest number of migrants in Europe. The German government is therefore considering methods to reduce migration, such as cutting benefits, despite criticism regarding the violation of migrant rights.

United States of America – While having a huge population of migrants, the US government has taken a tougher approach towards migrants under the Trump administration, which can be

reflected by the construction of the ‘Trump Wall’. The Biden Administration has had a more tolerant attitude towards migrants.

Migrants’ Rights Network – A UK charity led by migrants with an aim to raise awareness and build campaigns to call for a change of policy towards migrants. They demand a higher level of openness instead of intolerance towards migrants.

Timeline of Events

Date	Description
2000	UK applied the ‘flexibility’ principle in migration policy, increasing the possibility for low-risk migrants to enter UK
2003	US invaded Iraq to overturn the Hussein regime, leading to the start of Iraq War and a surge of migrant from middle east to Europe
2011	The Arab Spring led to skyrocketing amounts of migrants moving into Europe, eventually leading to some border closures in 2015
2016	A referendum was held in Hungary to determine whether they should accept European migrants. Despite the majority of voters refusing the arrival of migrants, the referendum failed as the voter turnout was below 50%.
2017	‘Trump Wall’ was directed under executive order to stop immigrants from Mexico entering the US, leading to criticism from civil rights groups
2019	Thousands of migrants were reported tortured by the Libyan authority in detention camps after they were intercepted in the sea
2020	The number of migrants has increased to 180 million, according to International Organization for Migrants
2023	Sweden far-right government announced that migrants will receive fewer social benefits by implementing a ceiling on the amount of money they receive
2024	French government announced its new immigration bill, making it harder for migrants to bring their families and attain social welfare

Relevant UN Treaties and Events

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families – affirms that migrants should not be discriminated, and have the right to be educated

Migration for Employment Convention — indicates that migrants should be provided with information regarding employment and should be treated without discrimination

Convention and Protocol relating to the Status of Refugees — refugees have the right to move freely, and should not be treated less favourable than aliens

Case of Chowdury and others vs Greece (ECHR) - a migrant in Greece was subjected to forced labour and went on strike. The ECHR decided that it was a violation of human rights

Previous Attempts to solve the Issue

Countries such as the UK granted migrant workers the right to switch employers within the term of their visas, to prevent their over-dependence on employers which leads to a higher possibility of migrants' rights violation such as forced labour.

Countries such as the US employed more border officers to deter illegal migrants in an effort to exterminate smuggler groups. However, it is criticised by some as many migrants may not be able to get into the US anymore.

The European Union attempted to share the burden of migrants within member nations to prevent overwhelming migrants in a particular country, which may lead to a higher possibility of long-term detention.

Possible Solutions

Add educational courses to the curriculum regarding migrants' rights such as topics on refugee status, discrimination, human trafficking, forced labour etc. in order to eradicate prejudice towards migrants and increase awareness on migrants' rights.

Increase the support for migrant workers, such as setting up language classes for migrant workers to prevent misunderstanding of related laws and migrants' rights due to language barriers. This includes ensuring safe and healthy working conditions by criminalising smugglers and groups using migrants as forced labour.

Promote cultural and social integration of migrants through different events such as cultural fairs, talks, volunteering, and job opportunities.

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