

HUMAN RIGHTS HERE AND NOW: Addressing Contemporary Human Rights Issues



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THE REFUGEE AND MIGRANT CRISIS IN EUROPE

"Everyone has the right to seek and to enjoy in other countries asylum from persecution."

Article 14, Universal Declaration of Human Rights



Amid an influx of Iraqis and Syrians into Europe, the West is neglecting Afghani refugees also in desperate need of help. Photo by Human Rights Watch.

So far in 2015 almost 800,000 asylum seekers and migrants have risked their lives to reach Europe by sea, overwhelming both governments and humanitarian agencies.¹ The majority are fleeing Syria and Afghanistan, but they also come from Iraq, Pakistan, Congo, Bangladesh, Somalia and other countries. A human rights perspective can clarify some of the issues at stake in this complex human crisis and help to assess recent calls to reject some refugees from asylum in the USA.

¹ For recent statistics, see <http://data.unhcr.org/mediterranean/regional.php>.

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Who Is a Refugee?

The media generally refers to these thousands of uprooted people as “migrants,” but many, especially those fleeing the war in Syria, are likely to be **refugees**. According to the UN High Commissioner for Refugees (UNHCR), a refugee is a person who has left his or her country due to a *well-founded fear of persecution* because of race, religion, nationality, political opinion, or social group. People forced to flee for the same reasons as refugees but have not crossed an international border constitute a special category, **internally displaced persons** (IDPs). Most refugees wish to return to their homes when the imminent danger has passed.²

When crisis such as the war in Syria force thousands of people to flee their home countries, their numbers can overwhelm host countries, even with help from agencies like the UNHCR, the Red Cross and Red Crescent, and non-governmental organizations (NGOs) like Doctors without Borders or Save the Children. In such cases, refugees are often settled in camps with temporary shelter and makeshift accommodations. However, when home conditions remain too dangerous, refugees can live for months and even years in these camps, which are often dangerous and unhealthy. In these extended cases most refugees seek to find ways to work and to educate their children, efforts that put further burdens on the economies and social services of the host country. Although the *UN Convention Relating to the Status of Refugees* sets out specific rights of refugees, including employment, education, and social security,³ even wealthy countries may not be able or willing to offer these protections and supports.

Who is a Migrant?

Unlike refugees and IDPs, a migrant is someone who chooses to move to another country, either permanently or temporarily. Some are **seasonal migrants**, seeking pasture for livestock or agricultural cycles. Some are **expatriates** or **resident aliens**, who prefer to live outside their home country for a variety of reasons. However, many migrants feel compelled to leave home because of political, economic, social, cultural, religious, and environmental factors. Those leaving for work, or for a better life, are often called **“economic migrants.”** *The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (Migrant Convention, 2003) does not create new rights for migrants but aims at guaranteeing equality of treatment and the working conditions for migrants and members of their families. However, migrants are not entitled to the same legal protections as refugees. For example, undocumented migrants who enter a country illegally may be subject to deportation whereas refugees may not be forcibly returned to a place “where his life or freedom would be threatened.”⁴

Questions for Research and Discussion

² For a more detailed discussion of the right to asylum, see *Understanding Human Rights: Manual on Human Rights Education*, p. 463: http://www.etc-graz.at/typo3/fileadmin/user_upload/ETC_Hauptseite/manual/versionen/english_3rd_edition/Manual_2012_FINAL.pdf.

³ See *Convention Relating to the Status of Refugees*, Articles 12-30
<http://www1.umn.edu/humanrts/instrree/v1crs.htm>.

⁴ Article 33, *Convention Relating to the Status of Refugees*.

HUMAN RIGHTS HERE AND NOW:

Addressing Contemporary Human Rights Issues

- How does human rights law distinguish refugees from migrants? Should they be treated differently when they try to enter a country? Are European countries making this distinction in the current crisis? Should they?
- What are some principal “push factors” and “pull factors” for refugees in the current crisis? For migrants? Who is a “typical refugee”? A “typical migrant”?
- How have countries neighboring Syria, where most Syrian refugees arrive first, responded to the crisis? Why don’t refugees remain there, close to their home country?
- Which European countries have been most impacted by the crisis? Why? How have different European governments responded? How have citizens of those countries responded? Why are there sometimes differences in how governments and citizens respond?
- Who is responsible for protecting the rights of refugees?
- Who is responsible for caring for these thousands of refugees?
- What has been the role of the USA in this crisis?
- What special challenges face refugee and migrant children? Women? Families?
- Especially in recent months many **unaccompanied minors** (children traveling alone) have tried to enter the USA. Why do they come? Do they receive special treatment? Should they?
- Immigration reform is already a major issue in the US Presidential debates. What are the principal issues and positions among candidates from both parties?
- Why do some US leaders want to exclude Syrian refugees from the USA? Why do others reject this position? Have leaders in your state or community made recent statements about accepting refugees? What is your opinion about admitting Syrian refugees to the USA?

Learning Activities and Resources

About the Current Crisis

The Human Rights Watch Student Task Force has developed a comprehensive tool kit about the current crisis, including background information, classroom activities, multimedia, and advocacy ideas. Weekly updates are available.

http://www.hrwstf.org/wordpress/?page_id=4915.

About Refugee Rights

United Nations High Commissioner for Refugees (UNHCR)

Description: Recent information, maps, reports, lesson plans.

www.unhcr.org/pages/49c3646c2.html

Curriculum Materials

Rights of Migrants Toolkit

Source: Advocates for Human Rights, 2012

Description: Background information, lesson plans, action opportunities, resources, and publication, Rights Sites News: Immigration Issue, Vol 4, Issue 3.

www.theadvocatesforhumanrights.org/rights_of_migrants.html

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The Rights of Refugees

Source: UN High Commissioner for Refugees

Description: Lesson plans Grades 6-12.

<http://www.unhcr.org/pages/4ab388876.html>

"Two Billion Miles!"

Source: Channel 4 News, London

Description: An interactive video story that dramatizes the many decisions Syrian refugees must make in their efforts to reach Europe and their consequences.

<http://twobillionmiles.com/>

Videos/Film

Desperate Journeys: Europe's Refugee Crisis

Source: Human Rights Watch, 2015

Description: Graphic 7-minute overview of refugees arriving by sea.

<https://www.hrw.org/topic/refugees>

Salam Neighbor

Source: Living On One, 2015

Description: Full-length documentary following two Americans filmmakers who live among 85,000 Syrian refugees in Jordan's Za'atari camp, at the heart of the world's most pressing humanitarian crisis. For information on screening opportunities see

<http://livingonone.org/salamneighbor/faq/>

What the Refugee Screening Process Looks Like

Source: The White House, 2015

Description: Four-minute video that shows the US process for admitting Syrian refugees.

<https://www.whitehouse.gov/blog/2015/11/24/watch-heres-what-refugee-screening-process-looks>

Action Opportunities

Stop H.R. 4038: Urge the Senate to vote against any measures designed to expand screening procedures for Syrian and Iraqi refugees attempting to enter the US, essentially blocking them from entry. For more information on the bill and how to reach your representative see

<https://www.hrw.org/support-us/advocacy/contact-your-senators-support-refugees#/>

Refugees in Your Community: Are there refugees in your own town? Learn about them, their experience of both flight and resettlement. Are there ways you can support them?

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