



Research Report

Cals Model United Nations 2017

"Creating pathways to new opportunities"



Forum: Economic and Social Council

Issue: Tackling violence and discrimination against migrants, migrant workers and their relatives

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Introduction

In the Economic and Social Council, we will discuss the issue of tackling violence and discrimination against migrants, migrant workers and their relatives. The issue of immigration and migrants has been one of great importance the past few years, following a tremendous increase in the influx of refugees to Europe. Wars and terror have sparked heated debates in western politics and society. However, wars and terror are not the only reasons to migrate, job perspectives or other personal reasons can also be a cause of migration. To properly look at migrant workers, their relatives and the discrimination these parties receive, we need to look at the reasons for migrating, the origins of migrants and the policies these migrants face.

Definition of Key Terms

Migrant:

The term migrant can be understood as "any person who lives temporarily or permanently in a country where he or she was not born, and has acquired some significant social ties to this country".

Source: <http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/migrant/>

Migration:

Human migration is the movement by people from one place to another with the intentions of settling, permanently in the new location.

Source: https://en.wikipedia.org/wiki/Human_migration

General Overview

To look at migration and migrants properly, we first have to define migrants and migration. In this research report we will use the explanations mentioned in the definition of key terms. Secondly we will have to look at the different reasons for migration. Listed below are most reasons for migration:

Temporary labour migrants

(also known as guest workers or overseas contract workers) People who migrate for a limited period of time in order to take up employment and send money home.

Highly skilled and business migrants

People with qualifications as managers, executives, professionals, technicians or similar, who move within the internal labour markets of trans-national corporations and international organisations, or who seek employment through international labour markets for scarce skills. Many countries welcome such migrants and have special 'skilled and business migration' programmes to encourage them to come.

Irregular migrants

(or undocumented/illegal migrants) People who enter a country, usually in search of employment, without the necessary documents and permits.

Forced migration

In a broader sense, this includes not only refugees and asylum seekers but also people forced to move due to external factors, such as environmental catastrophes or development projects. This form of migration has similar characteristics to displacement.

Family members

(or family reunion/family reunification migrants) People sharing family ties joining people who have already entered an immigration country under one of the above mentioned categories. Many countries recognise in principle the right to family reunion for legal migrants. Other countries, especially those with contract labour systems, deny the right to family reunion.

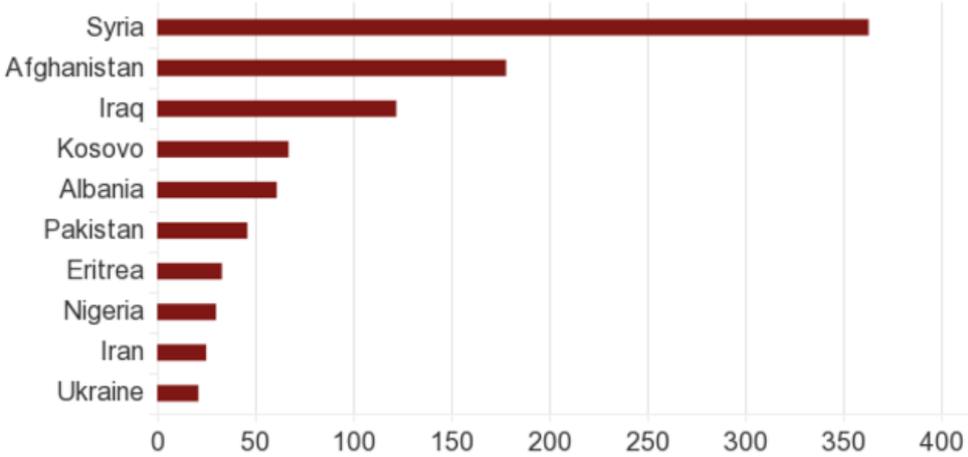
Return migrants

People who return to their countries of origin after a period in another country.

Furthermore, we will have to look at the rate of recent migration in places like Europe and the United States and where these migrants come from. While doing this, we will only look at the migration over the past few years.

Starting with Europe, most migrants are forced migrants and these people are driven to migrate mainly because of the conflict in Syria. Also the ongoing violence in Afghanistan and Iraq, abuses in Eritrea, as well as poverty in Kosovo, are leading people to look for new lives elsewhere.

Top 10 origins of people applying for asylum in the EU
First-time applications in 2015, in thousands



Source: Eurostat

Where are all these migrants going? Although not all of those arriving in Europe choose to claim asylum, many do. Germany received the highest number of new asylum applications in 2015, with more than 476,000. But far more people have arrived in the country - German officials said more than a million had been counted in Germany's "EASY" system for counting and distributing people before they make asylum claims. Hungary moved into second place for asylum applications, as more migrants made the journey overland through Greece and the Western Balkans. It had 177,130 applications by the end of December.

Asylum claims in Europe, 2015



While Europe struggles with refugees, the United States of America also has quite a steady influx of migrants. The U.S. immigrant population stood at more than 42.4 million, or 13.3 percent, of the total U.S. population of 318.9 million in 2014. Immigrants in the United States and their U.S.-born children now number approximately 81 million people, or 26 percent of the overall U.S. population. In 2014, Mexican immigrants accounted for approximately 28 percent of the 42.4 million foreign born in the United States, making them by far the largest immigrant group in the country. India, closely trailed by China (including Hong Kong but not Taiwan), and the Philippines were the next largest countries of origin, accounting for about 5 percent each. El Salvador, Vietnam, Cuba, and Korea (3 percent each), as well as the Dominican Republic and Guatemala (2 percent each), rounded out the top ten. Together, immigrants from these ten countries represented close to 60 percent of the U.S. immigrant population in 2014. Although, the focus lies mainly on immigrants from Mexico. Besides the big inflow of legal migrants, there are also a lot of illegal migrants settling in the USA, approximately 11 million a year.



Recently the focus in Europe, has been lying on forced migration. Several political parties, such as the AFD, the PVV and Front National, are strongly against the influx of refugees and some of them are suggesting to close borders. This goes along with discrimination against migrants. Migrants are often discriminated against in housing, education, health, work or social security. Migrants arriving irregularly in a new country and victims of trafficking stopped by the police are often detained in administrative centres or in prisons. Although the deprivation of liberty should be a last resort under international human rights law, migrants are often detained as a routine procedure and without proper judicial safeguards. Overcrowded immigration detention centres often have poor access to healthcare, inadequate food, sanitation or safe drinking water and a lack of separate sanitation facilities for men and women. Equally, there is an increasing tendency to criminalize migration offenses, which has, in some cases, resulted in violations of migrants' rights. Today, one of the key obstacles hindering migrants' integration and equal access to human rights in host societies is persistent anti-migrant sentiments and discriminatory practices. Such sentiments and practices are often reinforced by legislation, regulations and policies to restrict migratory flows, as evidenced by the increasing tendency to criminalize irregular migration. The global economic crisis and rising unemployment have further aggravated these trends.

Major Parties Involved

UNHRC:

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.

The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights.

IMADR:

The International Movement Against All Forms of Discrimination and Racism (IMADR) is an international non-profit, non-governmental human rights organization devoted to eliminating discrimination and racism, forging international solidarity among discriminated minorities and advancing the international human rights system.

OHCHR:

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world's commitment to universal ideals of human dignity. They have a mandate from the international community to promote and protect all human rights.

PVV:

The Party for Freedom (Dutch: Partij voor de Vrijheid, PVV) is a nationalist and right-wing populist political party in the Netherlands. The party fielded a controversial motion in the 2007 general deliberations on the immigration budget, calling for a stop to immigration from Muslim countries. The House of Representatives at first declined to bring the motion forward for debate. Justice Minister Ernst Hirsch Ballin said it was in violation of the Dutch constitution and international law. Another motion by the PVV, against police officers wearing veils, did gain a parliamentary majority.

In 2012 the PVV party has launched a website named Reporting Centre on Central and East Europeans which receives complaints about Central and East European immigrants in the Netherlands. 'Do you have problems with people from Central and Eastern Europe? Have you lost your job to a Pole, a Bulgarian, a Romanian or another East European? We want to know,' the website states. It displays newspaper headlines such as 'Wouldn't it be better if you went back home?' and 'East Europeans, increasingly criminal'. The European Commission has condemned the website, and EU Justice Commissioner Viviane Reding declared, "We call on

all citizens of the Netherlands not to join in this intolerance. Citizens should instead clearly state on the PVV's website that Europe is a place of freedom." The website caused a lot of controversy within the European Union.

Front National:

The National Front (French: Front national) is a socially conservative, nationalist political party in France. The party opposes immigration, particularly Muslim immigration from North Africa, West Africa and the Middle East. Over the years, and especially since the 1999 split, the FN has cultivated a more moderate image on issues of immigration and Islam, at least compared to some of the proposals of Mégret's MNR or Philippe de Villiers's Movement for France. It no longer expressly supports the systematic repatriation of legal immigrants, although it supports Islamophobic activities as well as the deportation of illegal, criminal, or unemployed immigrants.

Alternative für Deutschland:

The Alternative for Germany (German: Alternative für Deutschland, AfD) is a right-wing populist and Eurosceptic political party in Germany. The party advocated support for Swiss-style direct democracy, dissolution of the Eurozone, opposition to immigration, and opposed gay marriage.

By May 2015, the party became polarised into two factions, one centred around Lucke and his core economic policies and another group led by Petry, which favoured an anti-immigration approach.



Timeline of Events

2001 - The U.S.A. PATRIOT Act is passed by Congress with virtually no debate, giving the federal government the power to detain suspected "terrorists" for an unlimited time period without access to legal representation. Over 1000 Arab, Muslim, and South Asian men are detained in secret locations.

2002 - The Supreme Court upholds the use of race as one of many factors in admissions to colleges and universities.

2004 - The Libyan and Italian governments reached a secret agreement that obliged Libya to accept African immigrants deported from Italian territories. This resulted in the mass repatriation of many people from Lampedusa to Libya between 2004 and 2005, a move criticized by the European Parliament.

2015 - The European Commission proposed that EU member states should take in refugees under a quota scheme. Countries which had received large numbers of migrants and asylum

applications – such as Italy, Malta and Germany – supported the proposal. Others such as Austria, Hungary, Slovakia and Estonia opposed it.

2015 - Hungary closed its border with Serbia and declared a state of emergency in two southern counties as new laws to stop migrants entering illegally came into force. The laws made it a crime to cross the border illegally and to damage the newly-built fence along the Hungary-Serbia border. There was a standoff as hundreds of migrants massed at the fence, some throwing down food and water in protest at not being allowed through. Shortly after, Hungary began building a barrier along its border with Croatia.

2015 - The right-wing nationalist party Alternative for Germany (AFD) made strong gains in German state elections. The party campaigned against mass immigration and the German government's 'open door' asylum policy.

2016 - The Austrian parliament passed a law allowing the government to declare a state of emergency should there be another surge in immigrant numbers. The authorities would then only let in refugees under threat in a neighbouring country or whose relatives are already in Austria. The "special measures" will also require migrants to request asylum at the border in registration centres, where they may be held for up to 120 hours while their application is being checked. Parliament also voted to limit the length of asylum and to make it harder for families to join them.

Previous attempts to solve the issue

This issue is quite new to the world, therefore not many resolutions or treaties have been made to solve it. Resolution 45/158 of 18 December 1990, adopted by the General Assembly is an International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. This is one of the measures the UN took on this issue. They have also created a unit at the UN that is Addressing Large Movements of Refugees and Migrants and other organisations concerning migrant rights and combatting discrimination against migrants.

Possible Solutions

Addressing negative perceptions of migrants within host communities is a key element of promoting the integration of migrants and enhancing their contribution to development. Addressing the issue of discrimination and providing guidance on human rights safeguards is also something one might think of.

Furthermore, the "management of migration," featuring highly restrictive national immigration policies limiting the number of migrants granted entry; facilitation of the return of undocumented migrants; summary removal of rejected asylum seekers following expedited procedures; and strengthening border control mechanisms should be addressed and perhaps even changed.

Moreover, public acts of racism and xenophobia and also police abuse of migrants should be addressed and discouraged.

Useful Documents

1. "AfD" – Wikipedia
https://en.wikipedia.org/wiki/Alternative_for_Germany
2. "A/RES/45/158" – UN
<http://www.un.org/documents/ga/res/45/a45r158.htm>
3. "Combating Discrimination against Migrants" – OHCHR
<http://www.ohchr.org/EN/AboutUs/Pages/DiscriminationAgainstMigrants.aspx>
4. "Frequently Requested Statistics on Immigrants and Immigration in the United States" – MPI
<http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states>
5. "Go home illegals" – Fairfax Underground
<http://www.fairfaxunderground.com/forum/read/2/555460.html>
6. "Human Migration" – Wikipedia
https://en.wikipedia.org/wiki/Human_migration
7. "Migrant crisis: Migration to Europe explained in seven charts" – BCC
<http://www.bbc.com/news/world-europe-34131911>
8. "National Front" – Wikipedia
[https://en.wikipedia.org/wiki/National_Front_\(France\)](https://en.wikipedia.org/wiki/National_Front_(France))
9. "Party for Freedom" - Wikipedia
https://en.wikipedia.org/wiki/Party_for_Freedom
10. "The economic crisis and discrimination against migrant workers" - ILO
http://www.ilo.org/global/publications/world-of-work-magazine/articles/WCMS_165299/lang--en/index.htm
11. "Timeline of the European migrant crisis" – Wikipedia
https://en.wikipedia.org/wiki/Timeline_of_the_European_migrant_crisis

Further reading:

<http://ftp.iza.org/dp8743.pdf>

<http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/>

<https://books.google.nl/books?hl=nl&lr=&id=FwzEbQUfC-UC&oi=fnd&pg=PR5&dq=Tackling+violence+and+discrimination+against+migrants,+migrant+>

[workers+and+their+relatives&ots=p_0X7ZWdSR&sig=tPjCeYEDz7vzkZ1i3XqipHUxVsQ#v=onepage&q&f=false](https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Combating_Violence_against_Migrants.pdf)

https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Combating_Violence_against_Migrants.pdf

