

**Issue:** Protection of Human Rights of Asylum Seekers  
**Forum:** Human Rights Council  
**Position:** Deputy Chair  
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## Introduction

Every year, millions of people flee to different countries in search of a better life because they feel unsafe in their own. These refugees, people that flee their country because of persecution, war or violence, can ask for asylum in other countries. Many refugees find a better life and asylum in safe countries, but many others find themselves in other horrible scenarios. Mistreatment of asylum seekers is a big problem in today's society. In 1948, the United Nations adopted the Universal Declaration of Human Rights, with the notion that all humans, regardless of race, sex, nationality, ethnicity, language, religion, or any other status are entitled to these rights. Despite efforts to ensure all human beings of human rights, many asylum seekers find themselves discriminated, in poverty, separated from their offspring or in bad hygienic circumstances. While it is important to make sure there is no need to flee one's country, it is almost as important to ensure that asylum seekers do not end up in a similar situation in the country they seek asylum in. It is the United Nation's obligation to create a comprehensible set of regulations for all countries that provides a safe environment for all asylum seekers. This report will show the fundamental ideas about human rights and asylum seekers by use of documents and modern day examples, which the Human Rights Council members can use to create a resolution. In conclusion, this report will provide the council with some questions one has to think over before writing a resolution.

## Definition of Key Terms

### Refugees

People that flee their country because of persecution, war or violence.

## General Overview

The Universal Declaration of Human Rights is often seen as a milestone document in the history of human rights and was drafted by representatives from all regions of the world. Because of the differences between the representatives, it is apparent that the human rights as written in the declaration are important to everybody, despite their unsimilar background. In many cases, however, the minimum standards of treatment set by the Universal Declaration of Human Rights are not respected and asylum seekers are forced to return, are physically assaulted or are harshly interrogated without reason, which is in conflict with Article 14 of the declaration:

*“Article 14:*

- 1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.*
- 2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.”*

With seventy million people forcibly displaced people worldwide, the three and a half million asylum seekers only seem a small portion of a much bigger problem. Helping the people with an asylum seeker status, however, will provide a better framework for helping the refugees once they apply for an asylum seeker status.

## Major Parties Involved

### **The Americas**

People from all over the southern Americas try to make their way to the United States and apply for asylum. Under the Trump administration and the “Remain in Mexico” program they are often quickly returned to cities in Mexico where there is no shelter and there are high crime rates, while they await their asylum hearings in the US immigration court. They face harsh barriers when trying to obtain legal counsel and are often declined if they even obtain their hearing: up to 65% of the total requests is eventually rejected. Almost 2000 underage children are separated from their parents and both parent and kid face the trial individually since Trump took office. Often the parents do not even know where their children are and this can be an ongoing problem for months. Both the separation from their parents as well as the extraneous waiting times are in violation of the Universal Declaration of Human Rights and have to be tackled.

### **Europe**

In Europe, the situation is more complicated as each country has their own laws. One of the major problems is the partnership the European Union has with Libya regarding asylum seekers. An increased number of people are intercepted and brought to Libya despite overwhelming evidence of brutality against migrants and asylum seekers there. Since many EU governments have large parties that support radical right populism, such as Italy, France and Poland, there is a high disdain against asylum seekers, who are continuously discriminated when they try to find work or await their asylum trial. Many immigrants subsequently face forced return to their home country where it is not safe for them.

### **Africa**

The countries in Africa have faced numerous civil wars within the last decades. As a result of the unsafe situation in their homeland, many Africans travel to the countries neighbouring them. One example is the internal conflict in Burundi in 2015, which led to many Burundians fleeing to neighbouring Tanzania. The Tanzanian government responded that the Burundians “are to return to their country of origin whether voluntarily or not”. Asylum space, freedom of movement and economic opportunities were actively blocked by the Tanzanian government,

seriously violating the Universal Declaration of Human Rights, which attempts to create equal liberties and economic opportunities for asylum seekers as well as locals.

Another example in Africa is the corruptness of the system in South Africa. Many asylum seekers in South Africa face extortion and pervasive bribery. If they do not comply, they will not be allowed to stay after being detained in small police holding cells for several weeks. Many women are also sexually abused by government officials in exchange for a better chance of remaining in South Africa.

### Asia

In Japan, only 28 out of 10901 asylum claims were granted in the year 2016. However, more than 10000 Vietnamese nationals were admitted to increase the labour force, while they do not receive the same protection for labour abuse as the locals. This is a huge problem undermining the asylum process and leaving workplace abuse in place. Many immigrant workers in South Korea died as a result of similar conditions, with North Korean immigrant workers not receiving asylum. Many asylum seekers are refused proper trials and often illegally enter the workforce without the same protection, leaving them vulnerable for human rights violations.

## Possible Solutions

1. Although all human rights are important, which violations will have the council's priority to tackle and how does the council want to do that?
2. What resources do asylum seekers need and what can the HRC do to ensure all countries are willing to cooperate in providing such resources to asylum seekers?
3. If you would like to implement sanctions on violations of this resolution, what should those sanctions be and how will you impose those?
4. How can countries help each other in the refugee/asylum seeker crisis?
5. Look at historical refugee crises, how did the world solve previous problems? Think of Israel.

## Appendix/Appendices

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4. <https://www.un.org/en/sections/issues-depth/human-rights/>
5. <https://www.ohchr.org/Documents/Publications/FactSheet20en.pdf> (under ill-treatment of asylum seekers)
6. Side note: it is important to note that article 14 is not the only article violated, however, this article is written for asylum seekers in particular and thus will be used as the primary example. If you are interested in the other articles, see articles 3, 7, 9, 10 and 22 of the Universal Declaration of Human Rights.
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