

# Third General Assembly

Addressing the deportation of asylum seekers to LEDCs



<b>Forum</b>	General Assembly 3
<b>Issue:</b>	Addressing the deportation of asylum seekers to LEDCs
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## Introduction

As of 2024, there are an estimated 35.3 million refugees, 62.5 million internally displaced people, and 5.4 million asylum seekers around the world. This means that 7 in every 10,000 people are asylum seekers. With more promising opportunities in developed countries, and rising tensions and conflict around the world, the number of displaced persons and asylum seekers has dramatically increased. With this increase, many asylum seekers experience discrimination by nationals, other migrants, and other asylum seekers. The dislike for foreigners has reached parliament in many countries, and has led to bills passing in which, asylum seekers are to be deported to Less Economically Developed Countries (LEDCs).

## Definition of Key Terms

### Asylum

The protection granted by a state to someone who has left their home country as a refugee

### Asylum Seekers

A person who has left their home country as a political refugee and is seeking asylum in another country



## Conflict

A state of discord between two or more parties which can be active or perceived

## Deportation

The act of expelling (a foreigner) from a country, typically on the grounds of illegal status or for having committed a crime

## Discrimination

The unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability

## Illegal immigration

Illegal immigration is the migration of people into a country in violation of that country's immigration laws or the continuous residence in a country without the legal right to do so. Illegal immigrations tends to be financially upward, from poorer to richer countries

## LEDCs

LEDCs is an abbreviation for Less Economically Developed Countries, sometimes known as a developing country. LEDCs are relatively poor countries with these common qualities:

- A birthrate at around 20-45 per 1000 people
- A higher death rate due to poor health care and a wide spread of various diseases
- A high proportion (around 3500 per day per LEDC) of babies under the age of 5 dying (infant mortality) because of poor healthcare.
- A shorter life expectancy
- Low literacy rate as parents cannot afford to let their children attend school, or school may not be accessible



### **Migrant**

A person who moves from one place to another, especially in order to find work or better living conditions

### **Nationalism**

Identification with one's own nation and support for its interests, especially to the exclusion or detriment of the interests of other nations

### **Refoulement**

The forcible return of refugees or asylum seekers to a country where they are liable to be subjected to persecution

### **Refugee**

A person who has left their home country as a political refugee and is seeking asylum in another country

### **Xenophobia**

The dislike of or prejudice against people from other countries

## **General Overview**

In recent decades, refugees and asylum seekers have increased, and their presence in the media has too. Just last year, in 2023, there were 1.1 million asylum applications in the European Union. This also means that more people are forming negative opinions on refugees, and sadly, these opinions have made it to many western governments. This has caused legislation and bills to pass which underline processes to deport 'illegal citizens' to LEDCs in methods that have been criticized as being discriminatory, unethical, and some have even questioned the legality of the government's methods.



The Geneva Convention on refugees entitles refugees to international protection, and most importantly entitles refugees the right to not be returned to their home countries. There exists a “principle of non-refoulement,” which means that no state can expel or return (‘refouler’) a refugee in any manner whatsoever to territories where the person’s life or freedom would be threatened on an account of their race, nationality, religion or membership of a social group or political opinion. Refugees are, however, defined in an extremely limited manner and there are many other migrants that are conventionally recognised as refugees, but are not entitled to the rights provided by the Geneva Convention.

### Causes of persecution

Global tensions have been steadily increasing in the past decades, and in just the last five years, over a dozen wars have broken out. These wars have displaced millions and caused thousands to become refugees and seek asylum. However, it is important to note that asylum seekers numbers are not only increased by wars, and that there are many other causes. Such causes include, but are not limited to:

**Ethnic persecution** – The systematic mistreatment of an individual or group of individuals for their ethnicity. For example, Kurdish people are not welcome in any of their homeland which includes Iraq, Iran, and Türkiye, and are constantly faced with the threat of violence just for being ethnically different. Other famous examples are: the Tutsis, who were massacred by Hutus in the Rwandan genocide in 1994; the Cambodian genocide from 1975 to 1979, leading to the death of almost 2 million Cambodians; the Bosnian Muslims and Bosnian Croats who were forced to flee their homes for their ethnicity.

**Religious persecution** – The systematic mistreatment of an individual or group of individuals for their religious beliefs. Famous examples of religious persecution are: the Holocaust, in which 6 millions jews were murdered for being Jewish; the Uyghur crisis, in which the People’s Republic of China has been found to hold Uyghur Muslims in ‘labour camps’; the Nigerian crisis, in which 62,000 Christians have been killed in Nigeria by Islamist jihadist groups including Boko Haram and Islamic State West Africa Province (ISWAP); the ‘Forgotten war’, where an estimated 16,000 Christians have been killed in the past year, with 8.2 million Sudanese people displaced.

**Gender-related persecution** – The persecution of an individual for being a member of the LGBT community. This happens in many places all over the globe, with over 80 countries with sodomy



laws, and is notably severe in places such as: North and West Africa, the Middle East, Caribbean Islands and Eastern Europe.

### First countries to start deporting asylum seekers

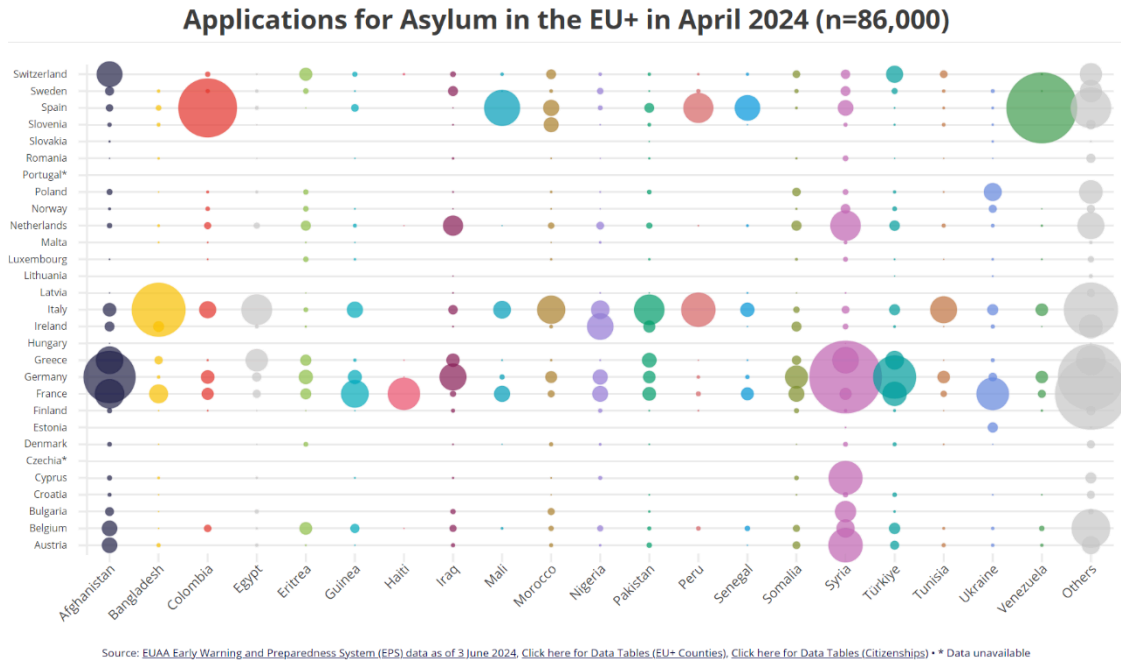
Australia was the first country to implement offshore processing in LEDCs, in order to deter maritime arrivals from asylum seekers and decrease the numbers. This began in 1992, where the mandatory detention of unauthorized arrivals was introduced. In 2001, the 'Pacific Solution' was launched, where asylum seekers were sent to 'offshore processing centres in Nauru and Manus Island, Papua New Guinea. This policy was later halted in 2008 but was resumed once more in 2012.

In 2013, Israel started incentivising a system of 'voluntary departure'. This was mainly aimed for Eritrean and Sudanese asylum seekers, where they would be sent to third-party countries such as Uganda and Rwanda.

The first known case of a deportation of Asylum seekers in the European Union to an LEDC was in 2016, where an agreement was made between Denmark and Ethiopia for a group of Somali refugees to send them to Ethiopia and have them settled and processed there. Denmark then passed a law in 2021 allowing the deportation of asylum seekers to countries outside the EU for processing and settlement and signed a memorandum of understanding with Rwanda to develop possibilities of the policy, however no deportations have occurred under the agreement.

As of June 2024, many countries in the European Union have expressed the need for a solution for sea rescued migrant to be brought to a safe place outside the European Union, in a third-party country. Ministers from Bulgaria, the Czech Republic, Denmark, Estonia, Finland, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, and Romania, all requested for the European Commission to find said solution. Despite the requests, European Commissioner Ylva Johansson rejected the request and suggested that the New Pact of Migration and Asylum of the European Union should be looked at instead. Another politician suggested that plans like the United Kingdom's Rwanda plan do not align with EU values and do not comply with the Union's laws.





**A graph showing the number of Asylum applicants in EU+ countries per country in the form of density**

### The relevance of the United Kingdom (UK) on the topic

The UK, in 2021, signed an agreement with Rwanda to send asylum seekers to Rwanda for processing, and the possibility of settlement. This policy, however, has faced many legal challenges and is under scrutiny by many as it is highly controversial. Campaign groups Detention Action and Care4Calais joined the Public and Commercial Services Union (PCS) to challenge the policy in the High Court of Justice. The work of these campaign groups along with a group of refugees selected to be deported appealed the policy in the Court of Appeal, which then ruled that the Rwanda asylum plan was unlawful as Rwanda is an unsafe country with risk of refoulement. These efforts were fruitless, and the current prime minister of the UK, Rishi Sunak, pledged to appeal the verdict of the Supreme Court of the UK.

The UK has recently been under the spotlight of global politics and the media because of its internal controversy, mixed with complicated and long-lasting hearings, and also because the UK is one of the global powers. In a 3-day hearing in October of 2023, the government argued that Rwanda could be trusted to treat refugees humanly, while migrant representing lawyers described Rwanda as an “authoritarian one-party state”, with an incomplete asylum system that would be incapable of processing refugees. The Court had a unanimous ruling in which it was decided the “Rwanda asylum



plan” was unlawful on the grounds that Rwanda’s asylum system was deficient in many aspects. This did not deter the UK government and they made a new treaty at the end of 2023 which introduced the Safety of Rwanda Asylum and Immigration Act 2024, which would overturn the judgments previously made by courts and would declare Rwanda a safe Country.

### Other regions with recent deportation cases

After the Taliban takeover of Afghanistan in 2021, 3.6 million Afghans fled Afghanistan amidst the humanitarian crisis, with the majority of them escaping to neighbouring countries. This once again has led to an increase in deportation of asylum seekers. In October of 2023, the government of Pakistan announced their plan to deport foreign nationals who did not have valid visas or had overstayed their visa for more than one year (illegal migrants). Pakistani authorities estimate the number of Afghans in Pakistan to be up to 4.4 million, of which many fall under the category of ‘illegal migrants’. This subsequently means that nearly 1.73 million Afghans would be sent back to Afghanistan, where they would face a brutal, authoritarian regime that has a liberty index of 6/100. The Pakistani Interior Minister, Sarfraz Bugti, instructed that said 1.73 million Afghan nationals voluntarily leave the country by the end of 2023, or they would be deported in a government crackdown. This has sadly not only happened in Pakistan, and countries such as Tajikistan, Türkiye, and Iran.

### Organisations helping refugees and asylum seekers

There are many organisations dedicated to helping asylum seekers and refugees, especially in their permanent settlement, with a focus on allowing them to lead lives similar to anybody else. There is also a dedicated body in the United Nations called the United Nations High Commissioner for Refugees (UNHCR), which was established in 1950 in Geneva, Switzerland to help the millions that had been displaced in the aftermath of the second world war. The UNHCR now has over 20,000 personnel working in 136 countries and have helped more than 50 million refugees. Though originally the UNHCR had a temporary mandate to help those displaced after World War 2, their mandate was repeatedly extended until in 2003, where their mandate was made permanent. By this point, the UNHCR also expanded the breadth of people they were dedicated to help from just asylum to





seekers, to also supporting refugees returning home, internally displaced persons, and those left stateless or denied nationality.

There are many other organisations that should be noted for their significant efforts in assisting in humanitarian crises of asylum seekers. Such organisations are: Amnesty international, Asylum Aid, Refugee Council, Refugee Action, Asylum Seeker Housing Project. There are of course many other organisations making earnest efforts on local, regional, and national scales which should be researched to see what efforts are already being made, and to further the understanding on what can be done to improve the situation for the asylum seekers facing the threat of deportation.

## Major Parties Involved

### Australia

Australia has been using “Offshore detention centres” since 2001 and was the first country to start deporting asylum seekers to LEDCs. Later, in 2013, immigration laws in 2013 were hardened, which meant asylum seekers arriving to Australia by boat, were denied resettlement visas. According to the Australian Border Force, more than 4,000 asylum seekers were relocated between 2012 and 2019. Human rights groups and the United Nations have made numerous criticisms of Australia’s centres for substandard conditions. Australia currently has offshore detention centres in Nauru, and recently ended its controversial deal with Papua New Guinea, removing the offshore detention centres there. Australia has been sending asylum seekers under a policy called ‘offshore processing,’ which aims to deter people going to Australia by punishing those who seek Australia’s protection. Altogether, 13 people sent to Australia’s offshore detention centres have died from violence, suicide, or lack of medical attention. In 2022, Australia struck a three-year deal with New Zealand to resettle 450 refugees in New Zealand.



## Denmark

The Danish government has been clear about its goal of “zero refugees” in Denmark, and in June of 2021, legislation was passed allowing Denmark border police to move asylum seekers to third-party countries outside the European Union (EU) while their cases are processed. This measure was highly controversial and was criticised by organisations such as the European Commission. Since 2021, Denmark started revoking residence permits of hundreds of Syrians who have been displaced by the ongoing war in Syria. However, this treatment has not been consistent, and in 2022, Denmark announced plans to host up to 100,000 Ukrainians displaced by the Russian invasion of Ukraine and grant work permits to them. Some have critiqued this as discrimination.

Although Denmark was the first country to join the UN Refugee Convention in 1951, political parties, on both the left and right, have been consistently hardening immigration laws.

## Germany

Germany has remained for years as the foremost destination for asylum seekers in the European Union (EU), and last year received almost 20,000 applications.

## Israel

In recent years, Israel has experienced an increase in number of asylum seekers and other illegal immigrants. Many of these asylum seekers come from eastern Africa, from countries such as Sudan and Eritrea. Israel has since made deals with third-party countries claimed to be “safe havens” where they would take an unknown number of people. Israel has continued to remain confidential about its immigration laws and has not disclosed what said third-party countries would be. They are however likely to be Uganda and Rwanda.

This began in 2015, where rejected asylum seekers and illegal immigrants were given the choice of returning to their home countries or accept a compensation of \$3500 and be sent to one of the third-party countries. If neither option were to be accepted, they would be put in jail.



Human rights argue that the “voluntary deportation” scheme is putting deported persons at risk due to the lack of guarantee of their legal status or protection of further deportation.

### Rwanda

The United Kingdom has famously struck a deal with the government of Rwanda named the “Rwanda Plan.” Rwanda has curiously made multiple other deals and memorandum of understandings with other countries, such as Denmark, Israel, and others. The leader of the Rwandan opposition party has also expressed concerns with the plan, saying Rwanda cannot provide for its own citizens in terms of food and education, so the government will be incapable of providing for additional asylum seekers.

### United Kingdom (UK)

The United Kingdom has famously made a policy which was announced by prime minister Boris Johnson in April of 2022 called the “Rwanda plan”, which would consist of deporting all asylum seekers illegal immigrants from the UK to Rwanda so that they can be processed for asylum and resettlement there. The current prime minister, Rishi Sunak, has also expressed support for the “Rwanda plan” and made clear he wants to carry out the scheme. This has also faced heavy criticism from the public.

### United Nations High Commissioner on Refugees (UNHCR)

The UNHCR is the most widely accepted and recognised body for the assistance of asylum seekers and refugees. They commit their budget to providing refugees with things such as food, shelter, fair lawyers, to help refugees obtain nationality, permanent stay, or return to their country safely.





*A woman with two children talking to a UNHCR worker in Colombia*

## Timeline of Key Events

Date	Description of event
January 1 <sup>st</sup> , 1994	Migration reform act implemented in Australia
September 27 <sup>th</sup> , 2001	Legislation for Pacific Solution passed in Australia
February, 2008	Pacific Solution suspended in Australia
August, 2012	Legislation for Pacific Solution reintroduced in Australia
June, 2013	Israel starts incentivising voluntary returns
September 18 <sup>th</sup> , 2013	Operation Sovereign Borders comes into action in Australia
June 3 <sup>rd</sup> , 2021	Denmark passes a law allowing refugees to be deported outside the EU
June 14 <sup>th</sup> , 2022	Rwanda Asylum plan announced by Boris Johnson
June 29 <sup>th</sup> , 2023	Court of Appeal rules Rwanda Asylum plan as unlawful
October, 2023	Pakistan announces its plan to deport all illegal migrants



April 22<sup>nd</sup>, 2024

Rishi Sunak makes Lords back down and Rwanda is deemed safe again

## UN involvement, Relevant Resolutions, Treaties and Events

- UN involvement, Relevant Resolutions, Treaties and Events
- New York Declaration for Refugees and Migrants, 3 October 2016(A/RES/71/1)
- 1951 Convention on Refugees and 1967 Protocol
- General Assembly Resolutions and Executive Committee Conclusions relating to the Office of the UN High Commissioner for Refugees
- Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)
- Addis Ababa Action of the Third International Conference on Financing for Development (A/RES/70/1)
- General Assembly Resolutions related to international migration, 9 May 2016

## Previous Attempts to solve the Issue

So far, the UNHCR and other bodies of the UN, like the General Assembly have had little success with attempts to solve the issue, as most only tackle the surface of the problem and try cover it up, without many resolutions passing and many countries working collaboratively in order to stop the underlying issue of war, dictatorship and discrimination that cause people to flee their home countries in the first place. With money, the UNHCR has made sure that displaced people receive access to documentation, education, work and health care, and work to ensure stateless people achieve their right to a nationality. These are all vital steps needed to allow refugees to stay in a safe country of refuge permanently and prevent deportation. The UNHCR also provides lawyers and equal opportunities to all people when it comes to legal battles, and they do their absolute best to get what is best for the refugees.

## Possible Solutions



Though it is yet unclear as to which methods can be taken to solve the issues, possible ideas could include:

- Remove the classification for “illegal immigrants” so all migrants are legal and cannot be deported
- Make legal representation for all refugees in the country they have fled to mandatory, which would mean stateless people have to be given a nationality
- Make the provision of full nationality to anyone born in that country mandatory
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