

Forum: Conference of the Red Cross and Red Crescent Movement

Issue: The Question of guaranteeing humanitarian corridors and safe transit to migrants

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“People do not leave their homes without reason. Fleeing your country is a measure of last resort, when staying behind is no longer an option. They leave behind everything and endure huge risks because hope lies elsewhere, away from their situations of risk and vulnerability.”

Elhadj As Sy, Secretary General of the International Federation of Red Cross and Red Crescent Societies

Introduction:

The International Red Cross and Red Crescent Movement aims to address the humanitarian needs of the most vulnerable migrants and their families. Thanks to our National Societies global presence in countries of origin, transit and destination, we are in a unique condition to strengthen existing protection and fill assistance gaps supporting people throughout the journey.

People leave their homes for many reasons – they may fear for their lives, or be in danger, or be starving or they may have no way of supporting their families. In any case it does not matter the reason for leaving home, but to become a migrant or a refugee makes people vulnerable, expose them to hardship, uncertainty and the risk of death.

The RCRC Movement is in a exclusive position to help, because we are working in the countries that refugees and migrants are leaving. But we also assist people once they have started their journeys, helping families stay in touch, visiting those who find themselves detained and helping identify the bodies of the many for whom the quest for a new life ends in death. Legitimate security concerns are no excuse for ignoring humanitarian imperatives. The rights of everyone on the move must be respected. Many are fleeing terrible hardship and all must be treated with respect, dignity and humanity throughout their journey.

As said before, people decide to move for different reasons: fear of persecution, conflict and violence, human rights violations, poverty and lack of economic prospects, or natural disasters. Many people cross borders to find work, and an increasing number are moving as a result of climate change.

As one of the most pressing issues, the management of migrations on a global scale is of utmost importance, in particular after the conflicts that gravely affected the already unstable social equilibrium of areas such as Mediterranean Asia and Northern Africa.

Increasing migration is both a cause and consequence of some of the most significant humanitarian challenges of the modern era.

Nevertheless what is sometimes underestimated about the problem of migration is the fact that people that decide to move are often in danger to lose their life during the transit.

Smuggled migrants are vulnerable to abuse, illegal detention and exploitation. Their safety is often put at risk: they may suffocate in containers, perish in deserts or drown at sea while being smuggled by profit-seeking criminals who treat them as goods. As the crime is a clandestine one, accurate global figures are difficult to come by.

Around the world, migrants in transit are in a precarious — even perilous — human rights situation. During 2016, thousands of women, men and children lost their lives along migratory routes across the globe, with an estimated 3,500 people perishing in the central Mediterranean alone. Some 500 children died in sea crossings during the same period. Even as technological advances have made travel faster and safer, for many migrants, the journey could take weeks, months or even years. Some might never reach their intended destination at all.

Migrants in transit risk a range of human rights violations and abuses, including because they have become destitute or “stranded” in the transit country and because they lack legal protection and are unable or unwilling to seek the protection of the country of transit. Migrant women in transit often face specific gendered forms of discrimination and abuse, both in the public and private spheres. At the same time, States may question their obligations towards migrants who are in transit and not intending to remain on their territory.

As long as people move, whether forced to flee danger or to improve their lives or for other reasons, there will be dangers on land and sea. The dangers will always be greater when people are compelled to move outside of legal channels. Creating more opportunities for legal migration and creating an external procedure for seeking international protection within the EU and in other parts of the world could save lives and is a matter of urgency.

Definition of key terms:

- **Migrant:** : a migrant is a person who makes a conscious choice to leave their country to seek a better life elsewhere. Before they decide to leave their country, migrants can seek information about their new home, study the language and explore employment opportunities. They can plan their travel, take their belongings with them and say goodbye to the important people in their lives. They are free to return home at any time if things don't work out as they had hoped, if they get homesick or if they wish to visit family members and friends left behind.
- **Refugee:** refugees are forced to leave their country because they are at risk of, or have experienced persecution. The concerns of refugees are human rights and safety, not economic advantage. They leave behind their homes, most or all of their belongings, family members and friends. Some are forced to flee with no warning and many have experienced significant trauma or been tortured or otherwise ill-treated. The journey to safety is fraught with hazard and many refugees risk their lives in search of protection. They cannot return unless the situation that forced them to leave improves.
- **Transit migration:** the term is commonly taken to mean the temporary stay of migrants in one or more countries, with the objective of reaching a further and final destination. Yet, it is important to appreciate that the notion of “temporariness” embodied in the concept of transit is conceptually challenging: how long or short is the transit period? After what length of stay does the transit country become the final destination?
- **Humanitarian corridors:** A humanitarian corridor is a type of temporary demilitarized zone intended to allow the safe transit of humanitarian aid in, and/or refugees out of a crisis region
- **Humanitarian aid:** Humanitarian aid is material and logistic assistance to people who need help. It is usually short-term help until the long-term help by government and other institutions replaces it. A report published by the network of European Universities on Professionalization of Humanitarian Action noted that humanitarian aid is a "fundamental expression of the universal value of solidarity between people and a moral imperative."

Background information:

The contemporary phenomenon of transit migration is linked in many ways to increasing barriers to international migration. Stringent migration control measures, coupled with a lack of regular migration channels for work, family reunification, education and humanitarian reasons, are increasingly restricting the options for movement of potential migrants and, in many cases, compelling them to move through irregular channels. Such control measures include legislation that criminalizes irregular emigration, age and sector-specific bans on the movement of potential migrants and the externalization of migration control, which can be manifested in obstacles such as carrier sanctions and onerous visa requirements.

Migrants who lack access to financial and material resources or are otherwise at risk of discrimination are more likely to experience dangerous journeys and a lengthier, more precarious time in transit than those who are able to pay for faster and safer transport to their destination. Children can be particularly at risk, whether they are travelling on their own or with their families or caregivers. The vulnerability of migrant children to physical, psychological and/or sexual abuse and exploitation, including child labour, is exacerbated when immigration enforcement policies are allowed to override child rights.

International human rights law limits the sovereign entitlement of States to remove migrants from their territory when the migrant would be at risk of serious harm upon return. Collective expulsions are prohibited as a principle of general international law.

The response to transit migration is increasingly militarized and security-centred, which permits States and other actors to employ a range of intrusive, non-transparent and even arbitrary actions, with limited scrutiny and oversight. Harm resulting from those measures may be viewed as an unfortunate side effect of national security, rather than a significant human rights concern in its own right. A very important condition for the delivery of aid is the trust and acceptance of all belligerents, who must understand that the ICRC is an impartial and independent humanitarian organization with a mandate to provide protection and assistance to victims of war on both sides.

Historical overview

United Nations Safe Areas (UN Safe Areas) were humanitarian corridors established in 1993 in the territory of Bosnia and Herzegovina during the Bosnian War by several resolutions of the United Nations Security Council.

On 16 April 1993, with the United Nations Security Council Resolution 819 the Srebrenica enclave was declared a safe area. On 6 May 1993, the United Nations Security Council Resolution 824 further extended the status to Sarajevo, Žepa, Goražde, Tuzla and Bihać. These cities and territories were placed under the protection of the UN peacekeeping units UNPROFOR.

The 2008 Nord-Kivu campaign was an armed conflict in the eastern Nord-Kivu province of the Democratic Republic of the Congo. On November 23, aid efforts started and humanitarian aid corridors were opened and convoys were allowed access to several previously isolated cities to begin distributing supplies.

On 7 January 2009, Israel opened a humanitarian corridor to allow the shipment of aid into Gaza. The Israeli army agreed to interrupt fighting for three hours and Hamas agreed not to launch rockets during the pause. Israel repeated the ceasefire either daily or every other day.

Relevant global initiatives

Established through the cooperation between institutions, the Ministry of Foreign Affairs and International Cooperation and the Ministry of the Interior, civil society organisations, the Community of Sant'Egidio, the Federation of Evangelical Churches and 'Tavola Valdese' of the Waldensian Evangelical Church, humanitarian corridors "Mediterranean hope" are an Italian reception program for migrants in particularly vulnerable conditions. These include single women with children, victims of human trafficking, elderly people and disable or sick people.

The program envisages, over a two-year period, the entry of more than 1,000 people from Lebanon (Syrian refugees) and from Morocco (migrants from Sub-Saharan African countries fleeing from situations of risk caused by conflicts, terrorism, political instability, poverty, famine, drought).

Nowadays the International Federation of Red Cross and Red Crescent Societies (IFRC) is engaging in a 45-month project, co-funded by the European Union (EU), to promote the rights of migrants in targeted countries, migration corridors and regions through a globally coordinated civil society action, with a specific focus on migrant domestic workers and victims of human trafficking. The project is being implemented by National Red Cross and Red Crescent Societies and 43 civil society organizations (CSOs) across 15 countries.

Rights of Migrants in Action supports the Movement’s mission to reduce risks, build community and individual resilience, and improve the lives of vulnerable migrants throughout their journey. The developmental angle of this project brings out the unique nature of Movement work: committed to addressing needs and vulnerabilities of migrants, regardless of their legal status, throughout the migratory trail.

Francois Crepeau the Special Representative on the Human Rights of Migrants has made a call to States for migrants to have access to health and school personnel, labour inspectors, social workers or local police who should be available for all migrants including irregular migrants, and who should in turn not fear being arrested, detained or deported for simply calling for help.

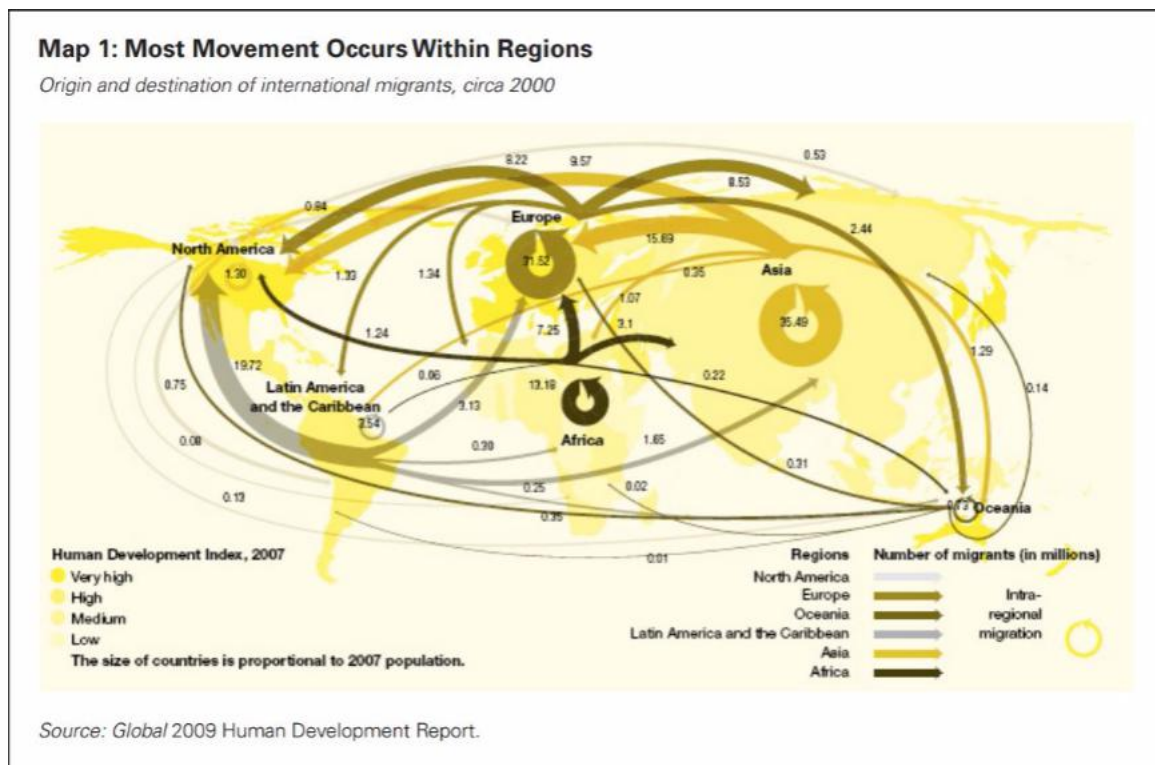
FRC supports National Red Cross and Red Crescent Societies providing protection and assistance to vulnerable migrants, irrespective of their legal status, at all stages of migration.

Around the world, National Societies support migrants in many ways. While emergencies, including large-scale population movements, are a central part of the FRC’s program, there are many other ways we work to address the needs of migrants, on arrival at their destination, in transit or on return. The FRC work aims to preserve dignity and keep people safe and healthy. In line with the policy of migration the FRC works in countries of origin to help alleviate pressures that can induce people to migrate against their will.

The global presence means they are present at all stages of migration and many people count on the Red Cross and Red Crescent: before leaving their countries, while crossing perilous paths or at destination to integrate in a new society. The strength lies in the ability to provide an internationally coordinated response tailored to the needs and context of vulnerable people.

We also work throughout our network to enhance awareness about migration related issues as well as promote respect for diversity, non-violence and social cohesion.

Major States involved:



The map above shows the most important migrant’s routes.

Possible solutions:

Could anything have been done to prevent the deaths of at least 100 people making the perilous journey across the Mediterranean to Lampedusa on 3 October 2013 or more recently the 850 deaths off the coasts of Libya and Malta? Or the bodies washed up near Italy's Catania beach resort? The hundreds who have died in recent years attempting to reach the Australian coast via Indonesia? The many Haitians who have lost their lives in rusty, over-crowded boats in the Caribbean Sea? The many that die in the Strait of Gibraltar? And so on it goes. You get the point. The answer, of course, must be yes.

Dangerous interception practices have frequently led to human rights violations, including injury or death of migrants in transit. All persons, regardless of where they are, their legal status, nationality or mode of travel, are entitled to protection of their right to life. States should scrupulously avoid dangerous interception measures, including arbitrary or collective expulsions. Humanitarian corridors are a pilot project that shows that it is possible to guarantee regular entries through legislative instruments, thus avoiding risk-laden "journeys of hope". The project can be replicated in other Countries in partnership with civil society organisations and is a model of solidarity.

When people are found in distress at sea, the first priority is to protect life by ensuring timely rescue and safe disembarkation, regardless of their status. This duty to rescue people in distress is a longstanding maritime tradition, but practical and operational challenges remain. Strengthening search-and-rescue arrangements and addressing the causes of irregular flight by sea require regional cooperation and burden-sharing by coastal as well as non-coastal States.

For this reasons it is important to enforce humanitarian corridors and aids, in order to ensure migrants a safe transit to the country. Moreover the only way to defeat the global problem is to try to find a common legacy about the question between the Red Cross and Red Crescent Movement representatives and all the Member States.

Suggestions:

While studying the topic, delegates should ask themselves a lot of questions that relates to the country's situation: it can be a way to enhance a good point of view. Different ideas can be shared and merged to create more powerful resolutions. Delegates are strongly recommended to show their motivation by making their knowledge available during all committee sessions.

Being a delegate in the Conference of the Red Cross and Red Crescent Movement committee:

The Conference of the Red Cross and Red Crescent Movement committee has a peculiarity that makes it different from the others but, for this reason, absolutely stimulating. During the days of the Conference your State will have two representative: one is the delegate of the Member State (for example France, Spain, Italy etc.) and the other represents the delegation of Red Cross or Red Crescent National Society. Thus it is important to try to create a debate between the two parts in order to create an heated and stimulating dispute during the days of conference.

Useful sites:

<https://www.icrc.org>

<http://www.ifrc.org/>

<http://www.unhcr.org/>

<http://www.ohchr.org/EN/Issues/Migration/Pages/Migrantsintransit.aspx>

http://www.esteri.it/mae/en/politica_estera/temi_globali/diritti_umani/i-corridoi-umanitari.html

<https://www.icrc.org/en/resource-centre/result?t=migrants>

<http://media.ifrc.org/global-review-on-migration/>

http://media.ifrc.org/ifrc/what-we-do/migration/migration-programmes/?preview_id=31168

<https://www.icrc.org/en/document/red-cross-movement-calls-states-address-growing-indifference-needs-migrants>

https://redcross.eu/uploads/files/Positions/Migration/Migrants%20in%20an%20irregular%20situation/rceu-pp-migrats-in-an-irregular-situation-july2016-interactive_1.pdf