

## **International Organization for Migration (IOM)**

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### **TOPIC A. Strategies to eradicate military and police brutality against migrants.**

#### **I. Introduction**

Police and military brutality can be defined as the use of excessive and unnecessary force from soldiers and police officers when interacting with civilians, resulting on human rights violations. According to Amnesty International and other NGOs working on human rights, it is estimated that more than 19,000 people's lives have been taken away due to police and military brutality each year since 2007, and the figures have noticeably increased during 2020.

In order to understand the consequences of this conflict it is important to understand how and why it is caused. Police and military brutality are often caused by a combination of factors including inadequate laws, racial and other forms of discrimination, insecurity, and impunity. The international human rights law prohibits all forms of discrimination during law enforcement; this means that no one should ever be treated differently because of their race, sexual orientation, gender, religion, and political opinion, national origin, among others. However, police and military brutality is very common and nowadays happens regularly in many countries all around the world.

Migrants are a particular vulnerable group regarding this and other many topics. Due to xenophobia, stigma and discrimination, migrants are one of the main victims of police and military brutality. Migrants are no longer only afraid of criminal organizations but also of those who are supposed to protect them. The soldiers are abusing migrants in the shelters, and the police officers are abusing them in the cities. Migrants are no longer safe anywhere. Action must be taken.

## II. Concept definition

- Migrant: a migrant can be defined as any person who is moving or has moved across an international border or within a state away from their habitual place of residence, regardless of the person's legal status, if the movement is voluntary or involuntary, the causes of the movement or the length of the stay.
- Police brutality: the term "police brutality" is sometimes used to refer to various human rights violations by police officers. This might include beatings, racial abuse, unlawful killings, torture, or indiscriminate use of riot control agents at protests.

## III. Current situation

### Police brutality against migrants

Police brutality against migrants has increased in almost every country around the world. Because of stigma and xenophobia, migrants are constantly victims of police assaults, their physical appearance including skin color and facial characteristics, and the language they speak are enough excuses for the police officers to unfairly accuse them of breaking the law. This happens regularly on countries with strict migration laws and low education regarding what migration is and how it is a human right. Stigma, stereotypes, and prejudice of migrants are common within citizens in many parts of the world including North American countries and Western Europe countries. These beliefs make migrants victims of violence and discriminations that may even block their access to their basic human rights including health services, job possibilities and education.

During 2020, The United States of America became one of the countries with more police brutality against migrants and other minorities or vulnerable groups. The USA government beliefs and educational systems are hardly allying with migration. And, with the raising concerns about undocumented migrants, the unleashed protests and the political and social issues, migrants have been victims of more legal injustices than before. Racial profiling and unlawful detainment are two of the main misbehaviors from the police officers against migrants. According to the US State Department, police authorities have even followed Hispanic women to their homes and detained Latin American people for no apparent reason. It is also important to clarify that police brutality does not only happen in the cities, but the judicial system has also shown misconducts and injustices to migrants during the law enforcement. Hispanic women have suffered from several abuses during imprisonment. And it is likely that many of the detained migrants have been unfairly imprisoned.

Also, Latin American countries including Mexico, Colombia, Brazil, Chile, among many others, have been sceneries of police brutality against migrants. In Bogota, Colombia, protests have unleashed because of the called “systematic brutality”, in Mexico the violence against Guatemalan, Honduran and Nicaraguan citizens by police officers has increased, and in Brazil, brutality against men because of racial discrimination has led into a point where fatal shootings are common against migrants. Also, it must be included that police officers have been granted impunity in many countries increasing the violent acts they commit and blocking any chance of justice being achieved.

In many European nations including France, migrant- protesters have been victims of police brutality. In November 2020, a protest against deteriorating migrant living conditions was held in Paris, resulting on a series of police brutality and human rights violations.

The police reportedly used tear gas and LBD fire to disperse migrants and even took away the migrants' belongings. In Macedonia and Greece, migrants coming from African countries have suffered from violence coming from police officers of both countries, migrants stated that they were beaten up and received ill treatment from the officers. Also, in Bosnia and Croatia after a crime made by a Moroccan migrant it has been wrongly assumed that all migrants are criminals, leading to stigma and xenophobia.

In African countries, mainly in South Africa, the figures of police brutality have increased as well. The main reason for this particular conflict is the weakness of police accountability systems in the country. In South Africa, not only the national police works on law enforcement but also other smaller organizations and agencies that do not have the need nor the obligation of ensuring accountability for the use of force internally. This leads to brutality and many human rights violations particularly to minorities and vulnerable groups including migrants.

In Asian countries, particularly in Southeast Asia and Northeast Asia police brutality increased severely since 2019. The human right freedom of expression was constantly violated leading to a series of protests that resulted on police and even military brutality. And on Oceania, even though police brutality is not common in the Pacific islands, in Australia, protests against racial discrimination from the police authorities were unleashed, showing how migrants are also dealing with injustices and mistreatments.

Even though, police brutality is a worldwide issue, each government leads with the conflict in a different manner and the laws regarding law enforcement are different from country to country. Meaning this, police brutality against migrants is a government's laws conflict, but it is also a cultural and educational conflict, that needs to be solved regarding each nation's context and beliefs.

### Military brutality against migrants

For as long as humans have existed, they have migrated across the world. Unfortunately, migrants take risks of violence every single day. The actual or threatened use of violence is one of the essential characteristics of the military, and the types of violence we can identify are the following: physical, sexual, psychological, deprivation and trafficking, among many others that mostly affect children, especially separated or unaccompanied; youth, women, people living with disabilities, ethnic and religious minorities and any populations who are marginalized or seen as “different”.

Military brutalities against migrants share in fact the causes that police brutality has. From discrimination, xenophobia, and prejudices but also the abuse of power. The military brutality is commonly held on conflict settings and on the borders between two nations. One of the main causes identified, regarding abuses and brutality against migrants is the belief on the concept of an enemy. Soldiers often show misconducts when interacting with civilians, and, considering these abuses are held on foreign nations with different laws, no consequences are given to the soldiers. It is important to understand that many of these abusive actions are justified as security measures and are commonly accepted by authorities.

Military brutality happens in almost every country around the world, but particularly, it is more common in the borders of the main migrant hosting nations. Migrants coming from Northern African countries including Morocco and Libya, looking for a better quality of life have been victims of abuses when entering the Italian, French, Spanish and Greek territories. More than 2 million African citizens migrated to Europe in 2016, and the numbers kept growing even with the 2020 world pandemic. Migrants' entrance to these territories is forbidden, leading to migrants stocked at the sea and sent back to their countries of origin. But also, there have been violent actions reported regarding military forces protecting the borders.

Two men were reportedly fatally shoot by Greek border officers in March, and in the sea borders of Italy and Greece, it has been reported that law enforcement military forces have abandoned migrants at the sea on inflatable vessels without motors and have even attack them and taken away their belongings.

In the Middle East, military brutality has taken away the lives of children, women, and men. Foreign soldiers coming from European Union nations, The United States and North Asian countries have violated citizens' human rights numerous times. In Israel, the military force brutality has over 1,200 complains. Palestinian citizens are often abused because soldiers acknowledge that there's no accountability of their actions. And, regarding US soldiers, deadly errors are mostly ascribed to inexperience. Also, military forces have assaulted shelters provided to refugees even when their job was to protect them.

In African countries including Nigeria, Ghana and many others, military brutality is common in the everyday life. During the Covid-19 pandemic, law enforcement and military forces have used the lockdown excuse to illegally imprison migrants and other vulnerable groups. Constant abuses particularly to women have no consequences and the soldiers are never held accountable. Security laws benefit military authorities rather than civilians, and even though, these actions depend on each government's regulations to their military forces, a cultural and educational change is also needed.

#### **IV. International initiatives**

Migration has been part of the human experience through history. For many children and families, leaving home to settle in a new community is an important development in the search for educational or employment opportunities. For some, migration is driven by a search for a better life or a sense of adventure, or a curiosity to learn about new lands and cultures, nevertheless, for years there have been reports of police brutality and abuses against immigrants.



The United Nations General Assembly Resolution 67/185 entitled “Promoting efforts to eliminate violence against migrants, migrant workers and their families” recognizes that violence against migrants, migrant workers and their families is part of a serious challenge to Member States and requires multilateral cooperation among all countries for its eradication, as well as the consideration of the need for a focused criminal justice, reaffirming crimes against migrants.

In the New York Declaration for Refugees and Migrants on September 16, 2016, 193 states recognized the need for a comprehensive approach to migration and as a result, they created the Global Compact for Safe, Orderly and Regular Migration, which were approved in 2018 in Morocco. The New York Declaration calls upon Member States to:

- Protect the safety, dignity, human rights and fundamental freedoms of all migrants, regardless of their migratory status, and at all times.
- Support countries rescuing, receiving and hosting large numbers of refugees and migrants.
- Integrate migrants - addressing their needs and capacities as well as those of receiving communities - in humanitarian and development assistance frameworks and planning.
- Combat xenophobia, racism and discrimination towards all migrants.
- Develop, through a state-led process, non-binding principles and voluntary guidelines on the treatment of migrants in vulnerable situations; and
- Strengthen global governance of migration, including by bringing IOM into the UN family and through the development of a Global Compact for Safe, Orderly and Regular Migration.

#### **V. Key questions**

1. Why are migrants one of the most vulnerable groups?
2. How are military and police brutality related?
3. What actions have each country taken against brutality to migrants?
4. Why is police brutality a human rights issue?

5. What regulations should law enforcement forces have in order to stop police and military brutality?
6. How is racial discrimination involved in the military and police brutality issue?
7. What actions can IOM take in order to solve this conflict?
8. Which are the consequences of policy and military brutality on migration?

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