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THE VIOLATION OF HUMAN RIGHTS SERVES AS THE MAIN CATALYST FOR FORCED MIGRATION

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ABSTRACT

People and groups who have their human rights violated by things like persecution, violence, and discrimination are often forced to leave their homes and seek refuge in other countries. This is one of the main reasons why most people think that human rights violations are the main cause of forced migration. To solve this problem, effective international policies and interventions are needed to stop human rights violations, protect the dignity and rights of those who are affected by forced migration, and support long-term solutions for their well-being.

1. INTRODUCTION

Every year, a substantial number of individuals migrate from one country to another. There are numerous reasons for migration, including climate change, dread of persecution, destitution, and the desire for a better future. However, human rights violations are arguably the leading cause of forced migration. As is well known, over the past two or three decades, a large number of people have been forced to migrate from one country to another due to grievous human rights violations, including Syrian refugees, Iraqi refugees, Somali refugees, Afghan refugees, and Ethiopian refugees. They were forced to leave their country of origin due to grievous violations of human rights. Human rights violations have been identified by the United Nations High Commissioner for Refugees (UNHCR) as a leading cause of displacement. The UNHCR stated in its 2020 Global Trends Report that "persecution, conflict, violence, human rights violations, and other forms of abuse continue to cause massive forced displacement." (UNHCR, 2020).

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According to a study by the International Organization for Migration (IOM), violations of human rights, political instability, and armed conflict are among the primary causes of forced migration. (IOM, 2020). The study also revealed that forced migration is frequently caused by a combination of factors, such as destitution, environmental degradation, and lack of economic opportunity. Amnesty International has documented numerous instances of human rights violations that have resulted in compelled migration. For instance, in a 2019 report, the organisation highlighted the Syrian government's "brutal crackdown" on peaceful demonstrators, which resulted in the displacement of millions of people. (Amnesty International, 2019).

According to a report published by the Center for Global Policy in 2020, human rights violations in Central America are a major factor in migration to the United States. According to the report, violence, corruption, and impunity in the region have resulted in pervasive violations of human rights and forced displacement. (Center for Global Policy, 2020).

2. EXAMPLES OF HUMAN RIGHTS VIOLATION

Here are some recent examples of human rights violations as a major driver of forced migration:

2.1. AFGHANISTAN

Afghanistan's Taliban takeover in 2021 has resulted in pervasive violations of human rights, including violence against women and girls, extrajudicial murders, and forced displacement. Since the beginning of the year, the United Nations reports that over 600,000 people have been displaced within the country, and many more have escaped to neighbouring nations. (UNHCR, 2021).

The Taliban have a lengthy history of imposing oppressive gender roles, such as limiting women's access to education, employment, and healthcare. Since the Taliban's ascension to power in 2021, there have been reports of women and girls being assaulted, harassed, and forced to marry Taliban combatants. The United Nations has described the situation as a "humanitarian catastrophe," with women and girls facing an increased risk of violence and exploitation. (UN News, 2021).

Since the Taliban took control, there have also been reports of extrajudicial executions targeting citizens and Afghan security forces personnel. People have occasionally been murdered just for having worked for the Afghan government or outside agencies. Many Afghans are concerned for their safety and the safety of their loved ones as a result of these murders, which have contributed to an atmosphere of dread and instability.

The Taliban's control has also had a significant impact on forced migration. Since the beginning of the year, more than 600,000 people have been relocated within the nation, and many more have fled to nearby nations like Pakistan, Iran, and Tajikistan. Numerous obstacles must be overcome by these refugees, including the dearth of access to essential needs like food, water, and healthcare as well as the danger of abuse and exploitation.

Organisations like the UN and humanitarian relief organisations are attempting to help those affected by what has been dubbed a "humanitarian crisis" in Afghanistan. However, it is challenging to give those in need consistent assistance due to the continuing war and instability. The Taliban has been urged by the international community to uphold human rights and permit the secure and voluntarily return of refugees, but it is unclear whether these requests will be followed.

In addition, the Taliban's occupation of Afghanistan has had terrible effects on the Afghan populace, including a profusion of violations of their human rights and forcible evictions. With a concentration on defending the rights and safety of everyone impacted, the international community must continue its efforts to find a peaceful and lasting resolution to the conflict.

2.2. MYANMAR

The military takeover in Myanmar in February 2021 had terrible repercussions for the local populace, especially in terms of forced migration. Since the revolution, over 1 million people have been forced to flee their homes due to military brutality, persecution, and violations of their human rights, according to the United Nations. (UNHCR, 2021).

Hundreds of thousands of people have been forced to abandon their homes in quest of safety and security, leading to the description of the situation in Myanmar as a "humanitarian catastrophe." Many of the displaced people are members of ethnic minority groups who have

long endured prejudice and oppression in Myanmar. The coup has increased hostilities and fostered a fearful, unsure atmosphere.

The military's use of brutality and intimidation against citizens has been one of the main causes of forcible displacement in Myanmar. Reports of extrajudicial murders, torture, and other acts of violence carried out by the armed forces and security agencies have surfaced since the revolution. Many of these mistreatments have been aimed at nonviolent protestors and people who are seen as being against the military government. As a consequence, many people have left their homes out of concern for their own and their families' protection.

The displacement problem in Myanmar has also been exacerbated by the persecution of ethnic minority populations. Since a military assault in 2017, the Rohingya, a Muslim minority group, have been especially impacted, with hundreds of thousands of Rohingya refugees now residing in camps in neighbouring Bangladesh. Other ethnic minorities, including the Karen, Kachin, and Shan, have long endured oppression and forced migration. The military takeover has only made matters worse for them, resulting in fresh fighting and eviction.

For those impacted, the relocation catastrophe in Myanmar has brought about a variety of difficulties. People who are displaced frequently struggle to get access to essentials like food, water, and healthcare. Additionally, they might be vulnerable to abuse and extortion, including sexual assault and human slavery. Additionally, the displacement crisis has put a heavy load on the surrounding nations, who are battling to help and support those fleeing Myanmar.

The military government in Myanmar has been urged by the international community to uphold human rights and permit the secure and voluntarily return of migrants. However, the situation is still precarious, and it is challenging to give those who are impacted long-term assistance because of the continuing bloodshed and instability.

With over 1 million people relocated since February 2021, it can be said that the military rebellion in Myanmar has significantly increased the number of people displaced by force. Military violations of human rights, persecution, and violence have been major causes of displacement, especially for communities of ethnic minorities. The situation in Myanmar continues to be a serious humanitarian catastrophe, with displaced people confronting difficult circumstances and surrounding nations finding it difficult to offer assistance. The international

community must keep pursuing a nonviolent settlement to the dispute with a focus on ensuring everyone's rights and safety.

2.3. VENEZUELA

One of the worst displacement disasters in history has resulted from Venezuela's continuing political and economic crisis. Millions of people have left the country in search of safety in nearby nations and abroad. Major causes of the crisis have been identified as violations of human rights, including violence, discrimination, and inability to access essential needs like food and medication. (Human Rights Watch, 2021).

Early in the new millennium, when late President Hugo Chávez started enacting socialist policies, Venezuela's current problem had its origins. Despite some early success, these policies also significantly increased inflation, economic mismanagement, and government misconduct. Venezuela was already going through economic upheaval and political unrest when Chávez passed away in 2013.

Since the inauguration of President Nicolás Maduro in 2013, the situation in Venezuela has only gotten worse. The government has become more authoritarian under Maduro's guidance and has cracked down on the media, civic society, and political opponents. Additionally, the government has been charged with a broad range of human rights violations, such as extrajudicial executions, torture, and the unlawful imprisonment of political inmates.

The economic disaster in Venezuela has been similarly severe, with hyperinflation, a dearth of essential utilities like power and water, as well as shortages of food and medicine. As a result, the standard of living for average Venezuelans has significantly decreased, and many are now having trouble making ends meet or accessing fundamental needs. For vulnerable populations that are frequently the hardest hit by the crisis, such as women, children, and the old, the situation has been especially bad.

Due to these difficulties, millions of people have been compelled to leave Venezuela in search of safety in nearby nations like Colombia, Brazil, and Ecuador. These nations are battling to support and aid the numerous refugees and migrants due to the sheer size of the displacement crisis, which has placed a heavy load on them.

Venezuelans who have been forced to flee their country encounter many difficulties, including a dearth of access to necessities like food, water, and healthcare. Additionally, they might be vulnerable to abuse and extortion, including sexual assault and human slavery. Many displaced Venezuelans also encounter administrative and legal obstacles to receiving essential services and security, which can increase their susceptibility and make it challenging for them to start over.

A variety of actions have been taken by the international community in response to the crisis in Venezuela, including penalties against the government and assistance for displaced people. However, given the continuing political unrest and economic difficulties, the situation is still precarious and it is challenging to give those who are impacted long-term assistance.

In addition, Venezuela's continuing political and economic catastrophe has prompted a mass exodus of citizens looking for safety in nearby nations. The crisis has been largely fueled by violations of human rights, including violence, discrimination, and a lack of access to essentials like food and medication. Venezuelans who have been forced to flee their country face many difficulties, and neighbouring nations are finding it difficult to aid the large numbers of migrants and immigrants. The international community must continue to strive for a calm outcome to the situation, with a particular emphasis on preserving everyone's rights and safety.

2.4. ETHIOPIA

Forced displacement has increased significantly since the war in Ethiopia's Tigray region broke out in late 2020, and a humanitarian catastrophe has resulted. Numerous sources have documented violations of human rights, such as extrajudicial executions, sexual assault, and forced labor, which has caused great worry among members of the international community. (UNHCR, 2021).

The war started in November 2020 when Tigray People's Liberation Front (TPLF), the region's governing party, was attacked militarily by Ethiopian Prime Minister Abiy Ahmed. The war rapidly grew more violent, with accounts of widespread murders of civilians, looting of property, and sexual assaults against young women and girls.

The war has caused hundreds of thousands of people to be displaced, many of whom were compelled to leave their homes in quest of protection. A humanitarian crisis has added to the

migration crisis by restricting access to food, water, and healthcare, especially in remote areas. Numerous displaced people have also experienced human rights violations, such as sexual assault, forced work, and induction into armed organisations.

Numerous violations of human rights have occurred during the 'Tigray war, including extrajudicial murders, torture, and sexual assault. According to reports, TPLF combatants as well as Ethiopian government troops and allied militias have all participated in these atrocities.

The involvement of nearby nations, especially Eritrea, which has been accused of violating human rights against civilians in 'Tigray, has made the situation in that country even more complex. Additionally, the war has sparked worries about Ethiopia's overall stability, which could have an impact on the security and stability of the area.

In response to the crisis in 'Tigray, the international community has taken a variety of actions, including requests for a ceasefire, humanitarian assistance, and inquiries into violations of human rights. Though development has been slow, 'Tigray's condition is still unstable. Additionally, the conflict in Ethiopia's 'Tigray area has exacerbated forced migration and sparked a humanitarian catastrophe. Several sources have claimed that there have been extrajudicial murders, sexual assaults, and forced labour. The participation of surrounding nations and worries about the stability of Ethiopia as a whole have made the situation in 'Tigray even more complex. The international community must continue to strive for a calm outcome to the situation, with a particular emphasis on preserving everyone's rights and safety.

These are only a few recent instances, but they show how persistently human rights abuses have an effect on compelled movement.

3. EUROPEAN CONVENTION ON HUMAN RIGHTS 1950 SIGNED BY THE COUNCIL OF EUROPE

One could argue that because the Council of Europe ratified the European Convention on Human Rights in 1950, which contains several provisions safeguarding citizens' rights, Europe has greater security for human rights than other parts of the globe. The European Court of Human Rights (ECtHR) is in charge of upholding these principles in court and is probably the

most active regional authority in defending human rights. Important provisions in the ECHR include provisions 2 (Right to Life), 3 (Prohibition of Torture and Inhumane Treatment), 8 (Right to Respect for Private and Family Life), and 10 (Right to Freedom from Torture). (freedom of expression). In cases like *Soering v. UK*, *Paradiso and Campanelli v. Italy*, and *Haldimann and Others v. Switzerland*, the ECtHR has rendered important decisions that have supported the ECHR's safeguards for human rights. Although member states of the Council of Europe frequently uphold the ECtHR's legal system, it is not formally binding in national tribunals. In general, the ECtHR effectively defends human rights in Europe.

The basic liberties and rights to which every European citizen is entitled are outlined in the European Convention on Human Rights, a legally enforceable international agreement. The Council of Europe, a regional international organisation with the mission to advance democracy, human rights, and the rule of law in Europe, created the Convention in 1950.

The Convention is the most commonly ratified human rights document in the world because it has been ratified by all 47 Council of Europe member states. The Convention contains 18 sections outlining particular liberties and rights, such as the right to life, the proscription of torture and other cruel treatment, the right to a fair hearing, and the freedom of faith and thought.

The primary authority in charge of upholding the Convention is the European Court of Human Rights. It has its headquarters in Strasbourg, France, and is made up of one justice from each Council of Europe member state. The Court considers cases that are filed by people, organizations, or states that claim a member state has violated the Convention.

The decisions of the Court have legal force and have the potential to alter national laws and policies. Additionally, the Court has the power to make member states take particular actions to resolve violations of human rights and to compensate victims of those violations.

The preservation of human rights in Europe has been significantly impacted by the Court's decisions. For instance, the Court determined that Ireland's stringent abortion laws breached the Convention's ban on cruel treatment in the case of *A, B, and C v. Ireland* (2010). Ireland's abortion laws underwent a major change as a result of the decision.

Similar to this, the court determined in *Goodwin v. United Kingdom* (2002) that the UK's prohibition on transgender marriage breached the right to regard for private and family life guaranteed by the Convention. The decision prompted adjustments in UK legislation that now permit transgender persons to wed.

The Court's decisions are enforceable in court, but it has some authority restrictions. The Court depends on member states to follow its rulings because it is unable to effectively implement its decisions. There have been demands for reforms to improve the Court's enforcement mechanisms after some member states received criticism for failing to carry out the Court's rulings.

Overall, the protection of human rights in Europe is greatly aided by the European Convention on Human Rights and the European Court of Human Rights. In addition to helping to mould national laws and policies to better safeguard human rights, the Convention and the Court offer a structure for holding member states accountable for human rights violations.

4. THE INTERNATIONAL CRIMINAL COURT (ICC)

The International Criminal Court (ICC) is a tribunal created by the Rome Statute to try people for the most severe offences that the international community finds to be of concern, such as murder, war crimes, and crimes against humanity. Although dealing with the problem of forced migration is not specifically part of the ICC's mission, the work it does in prosecuting people for offences that cause displacement can tangentially help to avoid forced migration.

For instance, the ICC's prosecution of people for crimes against humanity like persecutory acts or population transfers can aid in discouraging such behaviour and thereby avoid the uprooting of communities. Additionally, the ICC's work in prosecuting people for war crimes like assaults on citizens or civilian property can aid in population protection and stop population migration.

It is crucial to remember that the ICC does not have the authority or means to handle the underlying political, economic, and social variables that cause forced migration. As a result, the ICC's capacity to stop forced migration is constrained. In addition, the ICC has restricted jurisdiction because it can only bring cases against people for offences done in nations that have ratified the Rome Statute or otherwise recognised the Court's authority.

Furthermore, the ability of states to cooperate in the apprehension and surrender of suspects as well as the Court's capacity to conduct fair and unbiased proceedings are crucial to the ICC's ability to effectively stop forced migration. Both of these issues have presented difficulties for the ICC, as some states have refused to work with the Court and questions have been made about the fairness of some of its cases.

Overall, even though the ICC's efforts to prosecute people for crimes that cause displacement can indirectly help to prevent forced migration, it is important to be aware of the boundaries of its authority and the requirement for a more thorough strategy to address the underlying causes of forced migration.

Several people have been tried and found guilty by the International Criminal Court (ICC) for crimes against humanity, war crimes, and genocide, which frequently entail breaches of human rights. The following are some famous figures who have received punishment from the ICC for violating human rights:

1. John Lubanga A former militia chief in the Democratic Republic of the Congo named Dyilo was found guilty of recruiting and enrolling young people as troops. In 2012, he received a 14-year jail term.
2. A former militia commander in the Democratic Republic of the Congo named Germain Katanga was found guilty of war crimes in 2014, including murder, sexual enslavement, and using juvenile troops. He received a 12-year jail term.
3. Former vice president of the Democratic Republic of the Congo, Jean-Pierre Bemba, was found guilty of war crimes and crimes against humanity
4. perpetrated by his soldiers in the Central African Republic, including rape, murder, and plunder. In 2016, he received an 18-year jail term.
5. Ahmad Al Faqi Al Mahdi: A former militant group commander in Mali who was found guilty of war crimes for ruining Timbuktu's historical places. In 2016, he received a 9-year jail term.
6. Bosco Ntaganda, a former guerrilla commander in the Democratic Republic of the Congo, was found guilty in 2019 of war crimes and crimes against humanity, such as murder, rape, and enlisting children as troops. He received a 30-year jail term.

7. It is significant to remember that the ICC has a narrow scope of authority and that not all officials who have violated human rights may be brought before the Court for prosecution. The Rome Statute has also not been approved by some nations, including the United States, Russia, and China, who do not acknowledge the ICC's authority.

5. SOME POTENTIAL SOLUTIONS

A thorough strategy is needed to handle the complicated and multifaceted problem of forced migration brought on by human rights abuses. Here are a few possible answers:

1. Prevention: Preventing human rights abuses in the first place is the best method to deal with coerced migration. This entails advancing democracy, supporting the rule of law, and preventing prejudice against individuals and groups based on their race, faith, or nationality.
2. Protection: It is crucial to safeguard those who may be compelled to leave their homes as a result of human rights abuses. This includes giving access to fundamental needs like food, shelter, and healthcare as well as legal defense, secure havens, and other necessities.
3. Accountability: Those who violate human rights must be held responsible for their activities. No matter their standing or place in society, this entails looking into and prosecuting criminals.
4. Empowerment: Preventing forced migration requires empowering both people and groups. This entails fostering economic growth, educational advancement, and accessibility to chances and resources.
5. International Collaboration: To address coerced migration brought on by abuses of human rights, there must be international collaboration. Developing and implementing policies and programmes that address the underlying causes of movement and defend the rights of people and groups entails cooperation.

In general, a mix of preventative, preventive, and responsive actions is needed to address the problem of forced migration brought on by human rights abuses. Together, we can build a more fair and just society where each person's rights are honoured and upheld.

6. CONCLUSION

In conclusion, it is evident that a significant factor causing compelled movement is the violation of human rights. People are compelled to flee their houses and look for safety elsewhere when their fundamental rights are not upheld. Human rights abuses like torture, persecution, discrimination, and war crimes frequently put people in a position where they believe they have no option but to leave their home countries. To safeguard human rights and make those who violate them liable, international organisations like the UN and ICC were created. The underlying reasons of forced migration must be addressed in order to avoid human rights abuses in the first place. Prioritising human rights is crucial for governments and lawmakers who want to build a more just and equitable society where everyone's rights are honoured and safeguarded. Then and only then can we possibly expect to handle the problem of forced migration and guarantee that everyone has the chance to live in safety and comfort in their own houses.

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