

Forum: Human Rights Council (HRC)

Issue #2: Addressing the human rights violations in mass deportations.

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Position: Chair of Human Rights Council



PressSec, "Men in shackles being led onto a military plane." Sky News, Saturday 25 January 2025 06:37, <https://news.sky.com/story/men-in-shackles-led-on-to-us-military-plane-as-immigration-arrests-on-rise-13295895>

Guiding Questions as you Read

How do mass deportations affect your nation? How is your nation involved in the issue?

What role does your nation play in the supervision, and prevention of human rights violations during mass deportations?

Has your nation carried out or been affected by mass deportations? Was it a sender, receiver, or both?

What international human rights treaties has my country recognized that relate to deportation and migration?

Key Terms

Non-refoulement
Mass deportation
Deportees
Due process
International law
Immigration enforcement

Introduction

Human rights violations linked to mass deportations have become one of the most urgent and controversial challenges in global migration, fueled by increasingly strict immigration enforcement policies. The core problem arising from this is the widespread human rights violation that occurs in mass deportations, which are not discussed enough to protect migrants worldwide. When deported, immigrants undergo detention without enough evidence to prove them guilty, family separation, and so much more, without having the opportunity to be heard (Vera Institute, 2018; Project 2025, 2024). To shield those vulnerable groups, sustain international law, and preserve the rule of law, this issue must be resolved. A balance between the protection of migrants' rights and the state's interest in immigration control must be achieved to address the human rights abuses associated with mass deportations (Democracy Forward; Vera Institute, 2018).

Comprehension Question(s): How and why have mass deportations affected people, communities, and governments? Why are human rights violations in mass deportations such a significant global concern?

Definition of Key Terms

Non-Refoulement: A vital principle of international human rights and refugee law that prohibits the return of individuals to any country in which they may face persecution, torture, or cruel treatment and punishment (UNHCR).

Mass Deportation: The fast, large-scale removal of multiple people, typically migrants or asylum seekers, from the country they seek to move into. This process is frequently done without due process and often leads to grave human rights violations (American Immigration Council).

Deportees: People who have been forcibly removed from a country and are prone to facing detention, family separation, and unsafe living conditions (Amnesty International).

Due Process: The guarantee of fair legal processes to which individuals are entitled, without procedures violating their liberty or rights. Mass deportations violate this legal principle by not giving individuals fair treatment through their judicial system (Kumar).

International Law: Rules and legal obligations established by treaties or norms recognized by many states worldwide. Some examples of international law include conventions such as the 1951 Refugee Convention or the 1950 European Convention

on Human Rights (1951 Refugee Convention) (Council of Europe).

Immigration Enforcement: The regulation of the entry, stay, and removal of citizens/non-citizens. This is done through actions such as border control, detention, raids, and deportations. In many cases, such enforcement policies are done very aggressively and result in human rights violations, specifically against vulnerable populations (Isacson) (Human Rights First).

Forced Displacement: The movement of people from one state to another, done completely involuntarily and is due to conflict, persecution, or natural disasters. Mass deportations lead to forced displacements of many people at once, causing great violations of human rights ("Forced Displacement").

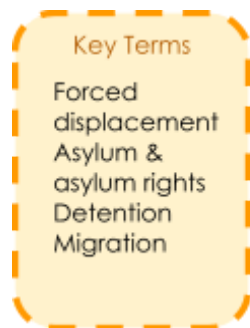
Asylum & Asylum Rights: Asylum refers to the protection granted by a state to people fleeing dangerous conditions in their country of origin. Asylum rights are the legal protections that allow for people to seek asylum when they need, including access to due process and protection from refoulement (IACHR) (Human Rights First).

Detention: The containment of an individual(s), where they must wait in places where their cases are processed and overseen. Conditions are typically harsh, overcrowded, and violate many human rights (IACHR).

Migration: The movement of people across countries for reasons including economic opportunities, reunion with family, safety from persecution, and more. Migration is controlled in many complex ways under national and international law (Democracy Forward).

Rule of Law: The legal principle that all individuals and institutions within a system are held accountable and must abide by the same laws (American Bar Association).

Current Situation



Historically, governments have forcibly displaced large numbers of people from their countries, without caring for their rights. This was evident not long ago in the United States, when, from 2009 to 2016, according to Politico News, the nation deported over 3 million people, the highest number during a presidential administration to date (Bianco). Moreover, the problem has only gotten worse, with there being countless unreported cases of violations of basic asylum rights and protections against forced displacement, and other serious violations of the deportee's human rights. Also, according to the International Detention Coalition, a worrying case took place following the mass deportations held by the United States, in which over 250 Venezuelans and Salvadorans were deported to El Salvador and placed in the Terrorism Confinement Centre (CECOT). This center is an infamous mega-prison, which has been internationally frowned upon for its extremely inhumane conditions, and many of the deportees who were sent there against their will had no criminal ties and were put in detention without proper processes (IDC). Furthermore, the United States has also forcibly transferred migrants to Libya, a country that is currently undergoing detrimental national conflicts. Citizens who are deported face the constant threat of living with the risk of experiencing, "torture, ill-treatment, sexual assault, and unlawful killings," and the nation holds no proper asylum for those who need it, demonstrating one of the many human rights violations by governments that are

committed during processes of mass deportation (Human Rights Watch). These are just some examples of how nations commit human rights abuses by deporting migrants in ways that lead to their lack of protection and dehumanization, highlighting the urgent need for international reform and a stronger integration of humane migration policies.

Major Parties Involved and Their Views

The United States

The United States has been one of the main countries carrying out mass deportations, especially during President Trump's time in office. According to the New York City Bar, most of his administration's efforts focused on arresting and removing as many non-citizens as possible from inside the United States. To make this happen, they launched a plan called Project 2025, which increases arrests and detentions of undocumented immigrants all over the country ("New York City Bar"). The Supreme Court supported the president's power to control immigration, but this also made it harder for immigrants to have fair trials or defend themselves in court. This goes against people's basic rights, like freedom of speech and fair treatment under the law. Because of this, 40 lawsuits were filed after important records were deleted (Bush-Joseph). President Trump also used an old law from 1789 called the Alien Enemies Act, which was originally meant for wartime. He used it to send home over 260 Venezuelans who he said were in a dangerous gang called Tren de Aragua, also called the "TdA" (Tawa Braimah). They were deported to a prison in El Salvador, even though there wasn't strong proof that they were gang members. These actions break important human rights rules, including a law called the principle of non-refoulement. This rule, created by the United Nations, says that no one should be sent back to a country where they could

face serious danger or harm (UNHCR). Despite this, the U.S. government is still trying to deport more people using every tool they have (Bush-Joseph).

Mexico

Mexico has been significantly impacted by U.S. mass deportation policies, not just under President Donald Trump, but also through long-standing enforcement efforts by past administrations. Over time, these policies have led to the return of many migrants, including non-Mexican nationals, to Mexico, often without proper protection. Many of these migrants are fleeing poverty, violence, or instability in their home countries. Since January 2025, when Trump returned to office, Mexico has received around 39,000 deportees from the US, which included 33,000 Mexican citizens and others of different nationalities (Rocha). The president of Mexico, Claudia Sheinbaum, acknowledged recent abuses, stating, "We have two cases from these days: one of a Guatemalan woman and another of a Mexican national, both of whom speak about violations of their human rights" (Rocha). While Sheinbaum pledged to protect migrants entering Mexico, systemic failures and repeated abuses continue to be reported. Additionally, Mexico has been criticized for deporting unaccompanied migrant children, a practice that violates international human rights obligations when children are returned to unsafe conditions without proper safeguards (Amnesty International).

El Salvador

El Salvador has both received deportees and taken part in actions that raise concerns about human rights violations linked to mass deportations. Earlier this year, the Trump administration deported approximately 238 Venezuelan nationals to El Salvador under the Alien Enemies Act, keeping them in overcrowded facilities such as CECOT, where reports indicate that basic human rights are regularly violated and ignored; this directly

violates the core principle of non-refoulement (Amnesty International). El Salvador also agreed with the United States to receive and incarcerate individuals deported from the U.S., including dangerous criminals who are U.S. citizens or legal residents. In exchange, the Salvadoran government will be paid around fifteen million dollars (Bush-Joseph). According to experts in an OHCHR press release, "the Alien Enemies Act of 1798 seems to have been misapplied to deny due process, independent review, and court access, contrary to international human rights law. The lack of due process resulted in arbitrary deportation decisions against many people who were reportedly not involved with gangs". These experts also emphasized that the legal conditions for applying the 1789 Act were not met, as no evidence was presented. Even if individuals were gang members, gang activity does not qualify as an act of war, making these deportations to El Salvador illegal under U.S. law.

OHCHR

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is the principal UN entity responsible for promoting and protecting human rights around the world. It plays a vital role in addressing violations regarding mass deportations by monitoring, reporting, and providing policy guidance to states. Through its work, the OHCHR investigates and documents serious human rights abuses during deportation processes, such as arbitrary detention, denial of due process, and forced returns to dangerous conditions ("OHCHR and Migration"). In May 2025, it raised concerns about the deportations of Venezuelan nationals to El Salvador's high-security prison, CECOT, where detainees were reportedly denied legal assistance, contact with family members, and access to basic human rights protections. The organization called on governments to uphold transparency and maintain international human rights standards in such operations ("US: Türk Raises Human Rights Concerns about

Deportations"). In addition, it consistently promotes a human rights-based approach to migration. It urges states to ensure that deportation procedures follow due process and do not send individuals back to countries where they may face persecution or harm. It also advocates for the integration of migrants into national systems, such as housing, education, and healthcare as a way to reduce discrimination and uphold the dignity of all individuals ("About Migration and Human Rights"; "Background Note: Migration, Development and Human Rights").

United Nations Involvement

Adoption of the 1951 Refugee Convention

In 1951, the UN adopted the Refugee Convention, an internationally recognized treaty that defines who is a refugee and outlines the rights and protections that they are entitled to under international law. It was created as a response to the mass displacements caused by World War II, and continues to serve its purpose today under the supervision of the UNHCR (UNHCR). It does this by laying the legal frameworks for international modern refugee protection against human rights violations in mass deportations.

Involvement of UN Human Rights Experts from the Office of the High Commissioner for Human Rights (OHCHR)

UN Human Rights Experts have publicly condemned many illegal mass deportations. Recently, according to OHCHR, they "expressed deep concern at the apparently unlawful deportations of over 250 Venezuelan and Salvadoran men" on April 30th, 2025 (OHCHR). Furthermore, they highlighted the repeated violations of due process rights, breaches of the principle of non-refoulement, and the United States' ultimate lack of

consideration for the conditions under which the deportees would have to sustain, including “deaths, torture and ill-treatment, violence, and enforced disappearances” (OHCHR). However, although they are highly active in scholarly circles, their arguments against human rights violations aren't very effective in encouraging action on the issue.

Role of the United Nations High Commissioner for Refugees (UNHCR)

The United Nations established the UNHCR in 1950, and it now serves as the “guardian” of the 1951 Refugee Convention. It supervises the implementation of said convention internationally, assists governments in properly observing its regulations, and provides protection to refugees worldwide (UNHCR, Williams). Furthermore, to improve the effectiveness of their role, the UNHCR holds a database of refugee information named ProGres. It contains biometric information such as fingerprints and data scans of over 11 million refugees, all used to facilitate aid distribution among refugee recipients. Additionally, the results of the UNHCR having such valuable resources have shown to be successful. In 2013, the UN saved \$1.4 million in waste and fraud in Kenyan refugee camps (The Economist).

Timeline of Events, Relevant Resolutions, Treaties, and Events

Date	Description of Event:
1929	Mexican Repatriation (USA). During the Great Depression, the U.S. government deported hundreds of thousands of Mexican and Filipino immigrants, including some U.S. citizens (Freedom). The Mexican Repatriation highlighted early racial profiling and mass removals, emphasizing the impact of economic hardship on immigrant communities (Freedom).

1954 **Operation Wetback.** The U.S. government implemented a massive deportation program targeting Mexican immigrants in the Southwest, targeting neighborhoods, homes, and businesses, and removing over a million individuals without oversight. (MADEO). This showed how dangerous mass deportations are, as they include family separation, loss of property, and violations of rights, so this event is usually criticized for the harsh tactics and racial targeting utilized (Texas).

1996 **Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).** A national law specific to the United States expanded deportation crimes, introduced rushed removal processes, limited judicial review, increased mandatory detention for certain migrants, and boosted border enforcement (MPI). IIRIRA facilitated the deportation of people, even for small offenses, leading to bigger deportations in the following years; it also laid the foundation for the mass deportations in the 21st century (HeinOnline Blogger).

2001 **Post-9/11 Security and Immigration Restrictions.** After the September 11 attacks, the U.S. and a lot of other countries tightened immigration controls and increased deportations, linking migration to national security (*IN FOCUS IMMIGRATION POLICY*). New laws and policies implemented led to racial profiling, arbitrary detention, and the deportation of many individuals for minor violations or with no due process, connecting migration and security at the price of migrants' rights (*IN FOCUS IMMIGRATION POLICY*).

2011 **European Migration Crisis.** Millions of refugees and migrants fleeing war and instability in the Middle East and Africa arrived in Europe, overwhelming border

systems. Many were detained in poor conditions, deported without fair hearings, or stranded at borders (Evans). As a result, border controls increased along with deportation, and many countries ended up establishing new policies, ranging from inclusive approaches to strict deportation regimes (Evans).

2016 **New York Declaration for Refugees and Migrants.** All 193 UN Member States agreed on the New York Declaration for Refugees and Migrants, marking a global commitment so migrants and refugees are treated with dignity and their human rights are protected. It strengthens international cooperation in managing migration, ensuring due process, preventing discrimination, and ending forced deportation to unsafe environments. The declaration caused the creation of two major global agreements, the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration. Also, it set clear expectations for governments to respect international law and human rights in every stage of the deportation process ("New York Declaration").

2018 **Global Compact for Safe, Orderly and Regular Migration (GCM).** In 2018, over 150 UN Member States adopted the GCM, an international agreement that addresses all aspects of international migration in detail. Although it is not enforceable, it reflects a strong political commitment to ensuring the human rights of migrants and making sure deportations are fair, humane, and respectful of international law. It highlights the importance of due process, voluntary return, alternatives to detention, and ending arbitrary or collective expulsions, urging countries to shift from fear-based immigration enforcement to

rights-based and cooperative migration policies ("Global Compact for Safe, Orderly and Regular Migration").

2019 **Trump's First Term.** When Trump was elected for the first time, U.S. Immigration and Customs Enforcement (ICE) deported 267,258 people in 2019, and many of those detained and removed had no criminal records (Press). The event marked a return to aggressive immigration enforcement and a shift to more restrictive laws and policies (Press).

2020 **COVID-19 Pandemic and Border Closures.** Countries closed borders to control COVID-19, increasing stranded migrant deportations, many of them without legal counsel or health screening, leading to a surge in deportations (Li et al.). Migrants faced greater risks during the pandemic, worsening their vulnerabilities. Also, new digital tracking systems were implemented, and border controls were expanded in many countries post-pandemic (Li et al.).

2025 **Reintroduction of the Alien Enemies Act.** In 2025, the U.S. government used the Alien Enemies Act from 1798 to deport over 130 Venezuelans (allegedly with gang affiliations) to a high-security prison in El Salvador. The act grants the president broad authority to detain and deport individuals from countries considered hostile, without following standard legal procedures (Santos). Human rights organizations and legal experts strongly criticized the act's reintroduction. They argued that it bypassed due process and legal oversight and targeted individuals based on their nationality rather than proven criminal offenses, violating the rights of those affected (Santos).

Evaluation of Previous Attempts to Resolve the Issue

Universal Declaration of Human Rights (UDHR)

The Universal Declaration of Human Rights (UDHR) is a breakthrough document in the history of the rights of humans. It was drafted by representatives from all over the world with legal variety and cultural backgrounds and was adopted as a universal benchmark for success by all individuals and countries by the United Nations General Assembly on December 10, 1948 (General Assembly Resolution 217 A). It is usually acknowledged that the UDHR was an inspiration and motivation for the supporters of over seventy human rights treaties that are currently in effect permanently on a regional and international scale, and all of them make reference to it in their preambles. In Article 14, the right to seek and enjoy asylum in other countries from persecution is guaranteed. However, this right is not absolute and can't be used in situations involving non-political offenses or actions that go against the goals and ideals of the United Nations (Nations).

The International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights is a United Nations treaty that outlines civil and political rights for individuals, including the right to liberty, due process, and fair trial. The Covenant was adopted by the UN General Assembly on the 16th of December 1966, and put into action on March 23rd, 1976; in May 2012, it had been endorsed by 167 nations. It's had a significant impact as it limits arbitrary detention and unfair deportations, but countries have limited accountability under these treaties ("The International Covenant on Civil and Political Rights - Manual for Human Rights Education with Young People - www.coe.int").

International Organization for Migration (IOM)

The IOM was established in 1951 and is the primary intergovernmental organization of migration, and is also part of the United Nations system. It collaborates with governments and partners worldwide to guarantee humane and orderly migration and to promote the rights and well-being of migrants ("International Organization for Migration"). Recently, the IOM has been important in watching over and responding to the human rights applied to mass deportations. Through the Global Migration Reports, especially the 2023 report, the IOM emphasized growing concerns over the rise in forced returns and joint expulsions of migrants without proper protection. The report urges governments to ensure that deportation procedures, the principle of non-refoulement, and access to legal support are respected. By advocating for a more humane, rights-based approach to migration, the IOM consistently guides international efforts to protect vulnerable populations and promote cooperation between states ("IOM Annual Report 2023 | IOM's Achievements & Insights").

Possible Solutions

Human Rights violations in mass deportations are an extensive topic, and several possible solutions could be implemented to combat this issue.

Strengthened Legal Frameworks

To ensure the safety and justice of deportees during deportation processes, their right to due process must be guaranteed. This will ensure that every individual facing difficulties during deportation will have access to a fair judicial process. This can be done through the creation of external independent bodies to monitor deportation proceedings and prevent unjust practices that would violate the deportee's human rights. However,

although bodies like the UNHCR are already tasked with monitoring deportation practices, they heavily rely on second-hand reports due to their lack of direct access to deportation proceedings. With that said, the strengthened legal frameworks in the creation of external independent bodies to monitor said proceedings should include mandatory, full, and direct access to monitor all stages of deportation procedures.

International Compliance with Human Rights Standards

Furthermore, preventing human rights violations against deportees during mass deportations begins with respecting international non-refoulement obligations, meaning that it must be more strictly enforced for countries not to deport individuals to other countries where they may face persecution, torture, or inhuman treatment, as stated in the 1951 Refugee Convention. One way this can be put to action is with the cooperation of international organizations such as the UNHCR and OHCHR with nations to ensure that deportations are monitored and enforced in ways that align with global human rights regulations.

To strengthen this international cooperation beyond limitations, states would be encouraged to take part in an international accountability mechanism where compliance with non-refoulement obligations is tracked publicly. This way, if a country complies with the regulations, it will be publicly acknowledged and potentially receive benefits, and if a country violates the regulations, it will be publicly reported and face consequences.

Improved Conditions in Detention and Deportation Centers

One of the largest causes of human rights violations against deportees lies within detention and deportation centers. This is because during mass deportations,

governments carelessly place individuals in detention centers that are commonly dirty, lack necessities such as food and water, and overall present horrible conditions for those forced to be in them (Justice). Suppose detainees are provided with access to clean water, proper nutritious food, healthcare, legal aid, and protection from family separation. In that case, the rate of abuse and inhumane treatment during mass deportations will be massively reduced, ensuring that deportation processes abide by international human rights standards.

Sustainable Development Goal (SDG)

The Sustainable Development Goal that best connects to this issue is SDG 10: Reduced Inequalities, which aims to reduce inequality within and among countries by promoting inclusion, equal opportunities, and fair treatment for all, regardless of status. Mass deportation often involves discriminatory practices, a lack of due process, and unsafe conditions for migrants. Addressing the human rights violations in deportations is essential to fulfilling the SDG 10 goals and ensuring that all individuals, including migrants, are treated with dignity and fairness.

Useful Links for Research (Appendix)

In the appendix, delegates will find useful links to use during their research, all provided by chairs.

https://www.echr.coe.int/documents/d/echr/Convention_ENG

Source A: Useful for learning more about the European Convention on Human Rights and how the treaty provides legal frameworks for protecting people's human rights. This

source will specifically help delegates learn the legal standards in Europe surrounding this issue:

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

Source B: This source will provide an understanding of international refugee protection and how it occurs, as the United Nations High Commissioner for Refugees (UNHCR) seeks to protect principles such as non-refoulement and refugees' rights.

https://www.ohchr.org/en/ohchr_homepage

Source C: This source is useful for accessing reports and statements worldwide on the issue of human rights violations during mass deportations, allowing for a deeper understanding of how organizations such as the OHCHR monitor the compliance of international human rights regulations.

<https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>

Source D: This is a very reliable source that consistently documents human rights violations in deportations all around the world. Delegates can use this for their research and to learn more about the issue at hand.

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