

UNITED NATIONS HUMAN RIGHTS COUNCIL



Assessing the Human Rights Implications of the Mass Deportation of Mexican Nationals by the United States



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Letter From the Chair and Co-Chair

Dear Delegates,

It's an honour to welcome you to the United Nations Human Rights Council (UNHRC). We're

glad you've arrived to address one of the most urgent and intricate human rights challenges

within the Western Hemisphere, the mass deportation of Mexican citizens from the United

States.

This agenda not merely concerns migration but also provokes us to reflect on the underlying

principles of human dignity, non-discrimination, and legal justice. As you walk into your

careers as diplomats, we urge you to concentrate on developing realist, rights-oriented, and

internationally collaborative solutions.

We look forward to our guide helping you prepare to best effect. We look forward to seeing

your ideas utilized out in debate and to be working with all of you.

Warm regards,

Kavya Mahadevan

Chair, UNHRC

Darsh Sharma

Vice-Chair, UNHRC

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## **Introduction To the Human Rights Council (UNHRC)**

### **Overview And Purpose Of UNHRC**

The United Nations Human Rights Council (UNHRC), established in 2006, is an intergovernmental body within the UN system responsible for the promotion and protection of all human rights around the globe. It is made up of 47 Member States elected by the United Nations General Assembly and meets at the UN Office in Geneva.

#### **Key Responsibilities**

- The UNHRC works to address violations of human rights and make recommendations to remedy them. Its mandate includes:
  - Promoting the right to development
  - Responding to human rights emergencies
  - Addressing thematic human rights issues, such as racial discrimination, the rights of indigenous peoples, and the rights of migrants
  - Conducting the Universal Periodic Review (UPR), a mechanism through which the human rights records of all UN Member States are reviewed regularly.

#### **How It Relates to Migration and Deportation Issues**

The Council frequently addresses issues surrounding refugees, asylum seekers, and internally displaced persons. When mass deportations violate international agreements such as the International Covenant on Civil and Political Rights (ICCPR), the UNHRC has the authority to investigate and make recommendations. It also works closely with the Office of the High Commissioner for Human Rights (OHCHR) and UN special rapporteurs.

## **History & Significance of the Human Rights Council**

#### Why It Was Created

The UNHRC was created to replace the former Commission on Human Rights, which was criticized for allowing countries with poor human rights records to manipulate its agenda. The new Council aimed to improve credibility, transparency, and accountability.

#### **Major Achievements**

- Established the Universal Periodic Review mechanism
- Led fact-finding missions in Syria, Myanmar, Palestine, and North Korea
- Adopted landmark resolutions on the rights of LGBTQ+ individuals and people with disabilities
- Developed frameworks to address business and human rights

#### Relevance To the Agenda

This body has been instrumental in drawing attention to migration crises and advocating for policies aligned with international law. Through its discussions and resolutions, the UNHRC sets global standards for the humane treatment of migrants and those facing deportation.

## Agenda

### **Explanation Of the Topic**

The agenda centres around the mass deportation of Mexican nationals by the United States and its human rights implications. Millions have been affected by aggressive immigration enforcement policies that lack adequate legal safeguards, often resulting in the violation of rights to family unity, legal counsel, and non-refoulement. This issue also highlights broader concerns about discrimination, racial profiling, and the militarization of borders.

#### **Definitions (Mass Deportation, Due Process, Human Rights Violations)**

- Mass Deportation: The large-scale expulsion of individuals from a country, often without individualized legal review.
- Due Process: Legal procedures that ensure fair treatment through the judicial system, including the right to a hearing and legal representation.
- Human Rights Violations: Acts that contravene international human rights instruments, such as the UDHR or ICCPR.

## **Importance Of This Issue Today**

With ongoing debates over U.S. immigration policy, the rise of nationalist movements, and increasing migration due to climate change and violence, this issue is more relevant than ever. It challenges the international community to uphold legal and ethical norms even amid political and economic pressures.

### **Timeline Of Events**

# 1996 – Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA):

This legislation expanded the list of deportable offenses and introduced expedited removal, a process through which individuals can be deported without seeing an immigration judge. It laid the groundwork for mass deportations in the years to come.

#### 2001–2010 – Increased Border Militarization Post-9/11:

After the 9/11 attacks, the U.S. drastically restructured its immigration enforcement strategy. The Department of Homeland Security (DHS) was created in 2003, bringing ICE (Immigration and Customs Enforcement) into existence. Deportation numbers steadily increased.

#### 2006 – Secure Fence Act:

Mandated the construction of physical barriers on the U.S.–Mexico border. This act heightened tensions and contributed to the criminalization of border crossings.

#### 2014 – Surge in Central American Asylum Seekers:

Under President Obama, a wave of unaccompanied minors and families arrived at the southern border fleeing gang violence in Central America. Though some deportations were halted, the administration also prioritized removals of individuals with criminal records.

#### 2017 - Trump Administration's Executive Orders:

President Trump signed Executive Order 13768, significantly expanding the categories of undocumented immigrants prioritized for deportation. Non-criminals and long-term residents became vulnerable to removal.

#### 2018 – "Zero Tolerance" Policy and Family Separations:

Attorney General Jeff Sessions implemented a zero-tolerance policy that led to thousands of children being separated from their parents at the border. The move was widely condemned by the UN and human rights groups.

#### 2020 - Title 42 Expulsions:

Under the pretext of public health due to COVID-19, Title 42 was invoked to allow for rapid expulsions without standard immigration processing. Critics claim this policy circumvents asylum protections.

### 2021-2024 - Ongoing Controversies and Legal Battles:

Despite President Biden's campaign promises, Title 42 remained in effect for much of his term. Deportations of Mexican and Central American nationals continued amid fluctuating border policies and legal challenges.

#### **UN & International Reactions:**

The Office of the High Commissioner for Human Rights (OHCHR), Amnesty International, and the Inter-American Commission on Human Rights have repeatedly condemned U.S. deportation practices for lacking due process and endangering returnees. The UNHCR stressed that no asylum seeker should be returned to a country where they face serious threats to their life or freedom.

## **Relevant Treaties and Legal Violations**

#### **International Covenant on Civil and Political Rights (ICCPR)**

**What it is:** A UN treaty that guarantees basic civil and political rights for all people—citizens and non-citizens alike.

#### **Key protections:**

- Right to life, liberty, and security.
- Freedom from arbitrary detention.
- Right to a fair trial and legal representation.

#### Possible violations:

- Expedited removals without hearings.
- Detaining people for long periods without access to lawyers.
- Deporting people without assessing individual risks.

#### **Convention Against Torture (CAT)**

What it is: An international treaty that bans torture and bans sending someone to a country where they might be tortured or seriously harmed.

#### **Key protection:**

• The non-refoulement principle: You can't deport someone if they face serious harm or torture in the country they're being sent to.

#### Possible violations:

- Deporting people fleeing violence or gang threats in Mexico/Central America.
- Ignoring credible fear claims in fast-track deportation processes.

#### **Convention on the Rights of the Child (CRC)**

What it is: A global treaty protecting the rights of all children. The U.S. has signed it but not ratified it (so it's not fully legally binding in the U.S., but still influential).

#### **Key protections:**

- Right to family unity.
- Protection from harm, neglect, and psychological trauma.

#### Possible violations:

- Family separation policies.
- Deporting children without proper guardianship or hearings.
- Holding children in unsafe or unsuitable detention centres.

#### U.S. Immigration Law: IIRIRA (1996)

What it is: The Illegal Immigration Reform and Immigrant Responsibility Act, passed in 1996.

#### **Key protections:**

- Made more offenses deportable.
- Introduced expedited removal, which skips the court process.

#### Concerns:

- Critics argue it eroded due process protections.
- Still used today to deport people without hearings, even if they qualify for asylum or other protections.

#### Title 42 (Public Health Law)

What it is: A U.S. law meant for controlling disease outbreaks. Used during COVID-19 to block asylum seekers under the guise of public health.

#### How it was used:

- Migrants at the border were turned away without being allowed to seek asylum.
- No court hearings, no legal assessment—just automatic expulsion.

#### Legal concern:

- Violates refugee law and non-refoulement.
- Seen as a misuse of public health law to bypass human rights obligations.

#### **Universal Declaration of Human Rights (UDHR)**

What it is: A foundational human rights document from the UN (1948)—not a treaty, but hugely influential.

#### **Key principles:**

- Right to seek asylum.
- Right to family life.
- Freedom from inhumane treatment.

#### Relevance:

• U.S. deportation practices like family separation and denial of asylum may go against UDHR principles.

#### Refugee Convention (1951) and 1967 Protocol

What it is: International treaty defining refugee rights and states' responsibilities.

#### Key principle:

• Non-refoulement (again): No country can send a refugee back to a place where they face danger.

#### Violation example:

• Denying migrants at the border a chance to apply for asylum under Title 42.

## **Impact On Stakeholders**

#### **Deported Mexican Nationals**

Deported individuals often face severe and immediate hardships upon removal, especially those who have lived in the United States for extended periods. Many lack social and economic support systems in Mexico, especially if they left as children or decades ago. Upon arrival, they face:

- Language barriers, cultural disorientation, and social stigma.
- Loss of employment and housing, often within hours of detention.
- Separation from U.S.-born children or spouses, sometimes permanently.
- Increased vulnerability to violence, including extortion and exploitation by cartels that target recent deportees.
- Psychological trauma from detention conditions and abrupt removal.

Some are deported despite qualifying for relief (such as asylum or protection under the Convention Against Torture), due to lack of legal representation or rushed proceedings.

#### **Families (Especially Children Separated)**

Family separation has emerged as one of the most publicly condemned consequences of U.S. deportation practices. Children are often:

- Placed in federal shelters, sometimes for weeks or months.
- Unable to locate or reunite with parents, especially if deported while legal proceedings are ongoing.
- Subject to developmental delays, PTSD, anxiety, and depression.
- At risk of entering foster care systems if reunification is not achieved quickly.

Many families are "mixed-status", meaning U.S.-born children (who are citizens) are separated from undocumented parents. The legal limbo faced by these children raises ethical questions about citizenship, custody, and identity.

#### **U.S. Government And ICE**

The Department of Homeland Security (DHS), particularly Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), plays a central role in enforcement. These agencies have been accused of:

- Abuse in detention centres, including inadequate medical care and poor sanitation.
- Targeting individuals without criminal histories in raids and arrests.
- Detaining individuals for prolonged periods without trial.
- Restricting legal access, including denying detainees the ability to contact lawyers or families.

While officials argue that they are upholding the law, watchdogs and journalists have documented widespread inconsistencies and human rights abuses.

#### **Mexican Government**

Mexico, as the receiving country, faces significant challenges in reintegrating deportees:

- Resource shortages in border towns overwhelmed by returnees.
- Job scarcity and housing shortages for individuals unfamiliar with Mexican systems.
- Strain on social services, such as healthcare, schooling, and shelters.
- Security risks, as deported individuals are sometimes targeted by criminal organizations upon return.

Though Mexico has criticized some U.S. policies, it has also cooperated with U.S. enforcement strategies, particularly during negotiations involving trade deals and border security funding (e.g., the Migrant Protection Protocols).

#### **Human Rights Organizations (E.G., Amnesty, Aclu)**

Non-governmental organizations (NGOs) have played a vital role in exposing human rights abuses and defending the rights of migrants and asylum seekers. Their involvement includes:

- Litigating against unlawful detentions and removals (e.g., lawsuits against family separations).
- Monitoring detention conditions, publishing reports, and filing complaints with international bodies.
- Providing legal aid, translation, and reunification services.
- Raising global awareness through campaigns and media engagement.

Despite their efforts, many NGOs face challenges such as limited access to detention facilities and insufficient funding.

#### **Border Communities**

Communities on both sides of the border—especially in Texas, Arizona, and northern Mexico—experience daily consequences of deportation policies:

- Overcrowding in shelters and hospitals.
- Economic fluctuations, as local labour markets lose undocumented workers.
- Tensions between law enforcement and immigrant populations, sometimes resulting in mistrust or violence.
- Solidarity movements, with churches, schools, and aid groups stepping in to provide assistance.

Some towns have declared themselves "sanctuary cities," refusing to cooperate with ICE, while others have embraced stronger enforcement—leading to political and social division.

#### **International Community**

Globally, the deportation of Mexican nationals has drawn concern over:

- Non-compliance with international legal standards, such as the Convention on the Rights of the Child and the Refugee Convention.
- Precedents for other countries, potentially encouraging similar practices in Europe, Asia, or Latin America.
- Global migration governance, as the issue influences UN debates and regional migration compacts.
- Diplomatic tensions, particularly in the Americas, where the U.S. is both a destination and a deporting power.

The UN High Commissioner for Human Rights, the Inter-American Court of Human Rights, and numerous regional actors have issued warnings or launched investigations into U.S. practices.

## **Solutions**

## **Improving Deportation Practices**

Reform Area	Description
Individual Case Reviews	Fair hearings for all individuals
	Access to legal representation
	Provision of interpreters
Expedited Removals	Reduce fast-track removals
	Mainly for long-term residents and people seeking asylum
Family Separation	Ban on separating children from parents
	Clear guidelines and enforcement
Detention Conditions	Set international standards
	Independent monitoring
	Healthcare and communication rights
Data Transparency	Public data on deportations
	Easily accessible on the internet

## **Legal Reforms and Human Rights Protections**

- Arrange due process rights for non-citizens
- Provide public funding for immigration defence attorneys

- Prohibit deportations to countries where individuals face credible threats (non-refoulement)
- Repeal or revise outdated laws like IIRIRA and Title 42-based practices

## International Legal Measures

Measure	Action
Enforcement of Treaties	Strengthen ICCPR, CAT, CRC
UN Role	Appoint special UN rapporteurs on deportation
Judicial Clarity	Encourage ICJ or regional courts to define legal limits on deportation

#### **Legal Reforms and Human Rights Protections**

To prevent violations and ensure accountability, structural legal changes are necessary in both domestic and international contexts:

#### Domestic reforms in the U.S.

- Codify due process rights for non-citizens.
- Provide public funding for immigration defence attorneys.
- Prohibit deportations to countries where individuals face credible threats (non-refoulement).
- Repeal or revise outdated legislation like IIRIRA and Title 42-based practices.

#### International measures

• Strengthen enforcement of international treaties such as the ICCPR, CAT (Convention Against Torture), and CRC (Convention on the Rights of the Child).

- Establish a UN special rapporteur specifically focused on mass deportations and pushbacks.
- Encourage ICJ or regional court rulings that define clear legal limits on state deportation practices.

#### Bilateral And Regional Cooperation (Us-Mexico, Oas)

Addressing mass deportations is not solely the responsibility of one nation. Regional partnerships can reduce forced returns and improve outcomes for migrants:

#### U.S.-Mexico cooperation

- Develop binational protocols for deportation with advance notice, data-sharing, and reintegration assistance.
- Create safe repatriation pathways with support services in Mexican border cities.

#### Role of the Organization of American States (OAS)

- Facilitate dialogue and regional agreements on labour mobility, family reunification, and asylum cooperation.
- Create regional migration funds for reintegration and humanitarian assistance.

#### Regional Refugee Protection Networks

 Expand protection schemes across Central America and Mexico, supported by the UNHCR and IOM.

#### **Role Of NGOs And UN Agencies**

Non-state actors are essential in both crisis response and policy innovation. Key roles include:

- Legal aid and emergency support:
  - NGOs can offer legal assistance to detainees and help locate and reunite separated family members.
- Monitoring and advocacy:

 Organizations like Human Rights Watch and Amnesty International can document abuses and apply international pressure on non-compliant states.

### • Capacity-building:

 UNHCR and IOM can assist governments in strengthening border processing systems that comply with human rights norms.

### • Community reintegration:

 NGOs and local civil society actors in Mexico can support deportees with job training, mental health services, and shelter.

## **Key Actors**

#### **United States**

As the primary country carrying out the mass deportations, the U.S. government—especially under DHS, ICE, and CBP—plays a central role. Key concerns include:

- Domestic laws and executive orders shaping enforcement priorities.
- Conflicting political agendas, with sharp divides between administrations.
- Immigration courts and judges that often operate without the same legal protections as criminal courts.
- Influence of anti-immigration rhetoric, which can fuel xenophobia and harsh policies.

Despite international criticism, the U.S. maintains that deportations are a sovereign right and often frames them as a national security measure.

#### Mexico

Mexico is the primary receiving country, and its response reflects a mix of cooperation and concern:

- Consular protection for its nationals in the U.S., though often under-resourced.
- Reintegration programs for returnees, which remain underfunded and unevenly implemented.
- Border security collaboration, including allowing the U.S. to return asylum seekers under agreements like "Remain in Mexico".
- Pressure from civil society and human rights defenders within Mexico calling for stronger protection for returnees.

Mexico's dual role—as critic of U.S. policy and enabler through bilateral deals—makes its position complex.

#### Guatemala, Honduras, El Salvador (Source Countries)

Although the agenda focuses on Mexican nationals, many deportees are misclassified Central Americans or are part of mixed migratory flows. These countries face:

- Return of vulnerable individuals, including youth and families with gang threats.
- Increased burden on fragile institutions, especially health care and law enforcement.
- High emigration rates, often linked to poverty, climate disasters, and insecurity.

Their limited capacity to reintegrate returnees contributes to cyclical migration and exposes people to renewed harm.

#### **Global Implications**

#### Precedent for Other Countries

When powerful nations like the U.S. implement aggressive deportation practices, other governments may follow suit, especially those with weak democratic institutions or rising nationalist movements.

#### **Examples**

- Hungary and Poland have justified border pushbacks of asylum seekers by citing U.S. and Australian precedents.
- Libya, a known transit state, has arbitrarily detained and deported African migrants with minimal oversight.

#### **Undermines International Law**

Violations of treaties like the ICCPR, CAT, and the Refugee Convention weaken their authority globally. If countries ignore non-refoulement or due process, others may do the same — eroding the trust that international law depends on.

#### This is particularly dangerous in:

• South Asia, where Rohingya and Afghan refugees face potential forced returns.

• Europe, where political pressure is growing to tighten asylum rules amid migration from Africa and the Middle East.

### Increased Migration Pressures Worldwide

Mass deportations often cause destabilization in the home country, increasing outbound migration and burdening neighbouring nations.

#### **Examples**

- Deportees facing violence or poverty may re-migrate through irregular routes, often ending up in Canada, Spain, or the UK.
- Border enforcement in one region often redirects migration flows to other continents (e.g., from Mexico to the Mediterranean or Balkan routes).

#### Human Rights Standards Are Universal

Countries that are not directly involved in this crisis still have a stake in defending universal human rights. Upholding dignity, non-discrimination, and asylum rights is a shared international responsibility. Even neutral or uninvolved states — like Norway, New Zealand, Kenya, or Japan — must help hold violators accountable to preserve international norms.

#### UN Credibility and Global Leadership

When a permanent member or leading power like the U.S. is seen as disregarding rights, it damages the credibility of the UN system. It becomes harder for the UNHRC and other bodies to intervene in human rights crises globally if enforcement appears selective or politically motivated.

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

As an UN-related agency, IOM assists with:

- Voluntary repatriation programs.
- Reintegration grants and services in return countries.
- Data collection and migration tracking.

• Coordination with NGOs and governments on humane return and reintegration.

IOM stresses the need for rights-based migration governance and often acts as a neutral facilitator.

#### **UNHCR**

#### **UNHCR** monitors:

- Violations of the right to seek asylum.
- Refoulement cases, where individuals are returned to danger.
- Protection gaps in asylum systems on both sides of the border.

It provides guidance on international refugee law and supports governments in building better asylum frameworks.

#### **Amnesty International**

#### **UNHCR** monitors:

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- Protection gaps in asylum systems on both sides of the border.

It provides guidance on international refugee law and supports governments in building better asylum frameworks.

#### **Human Rights Watch (HRW)**

#### HRW focuses on:

- Documenting abuses with legal analysis.
- Engaging U.S. policymakers through advocacy.
- Calling for investigations and sanctions when warranted.

They've published extensive research on ICE practices, Title 42, and U.S.-Mexico enforcement cooperation.

## The Catholic Church / Religious Organizations

Religious institutions provide:

- Shelters and humanitarian aid for deportees and asylum seekers.
- Legal and spiritual support through networks like the Catholic Legal Immigration Network (CLINIC).
- Moral advocacy, pushing governments to respect human dignity and welcome the stranger.

Pope Francis and other leaders have vocally criticized harsh immigration policies.

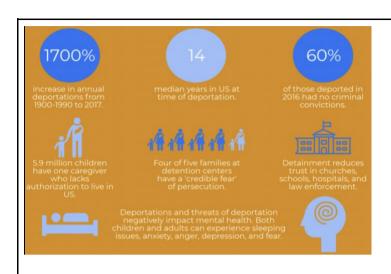
#### The Media

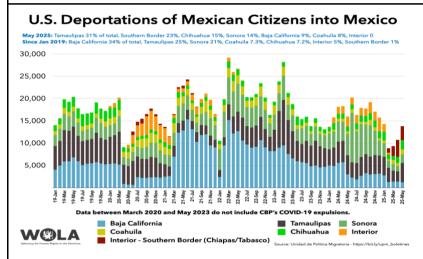
Media outlets shape public opinion, which in turn influences policy. Their role includes:

- Investigating abuses (e.g., ProPublica's reports on family separation).
- Shaping narratives around migrants as threats or victims.
- Amplifying grassroots voices, NGOs, and whistleblowers.
- International awareness, especially through documentaries and global reporting.

Accurate and empathetic journalism has been key to exposing mistreatment and pressuring for change.

## **Infographics**







## Glossary

#### **Asylum**

A form of international protection given to individuals fleeing persecution due to race, religion, nationality, membership in a particular social group, or political opinion. Asylum seekers must prove a credible fear of returning to their country.

#### **ICE (Immigration and Customs Enforcement)**

A U.S. federal agency under the Department of Homeland Security responsible for immigration enforcement, including detaining and deporting undocumented immigrants.

#### **Due Process**

The legal requirement that the state must respect all legal rights owed to a person, including fair hearings and the right to legal representation. It applies to all persons, regardless of citizenship status.

#### **Non-Refoulement**

A core principle of international law which forbids a country from returning individuals to a country where they may face persecution, torture, or serious harm.

#### **Mass Deportation**

The large-scale expulsion of individuals from a country, often without individualized legal assessment or protection guarantees. May constitute a human rights violation if due process is not followed.

#### Statelessness

A condition in which a person is not considered a national by any state. Stateless individuals often lack legal protection, identity documents, and access to basic services.

#### Refugee

A person forced to flee their home country due to war, persecution, or violence. Refugees are protected under international law, including the 1951 Refugee Convention.

#### **Expedited Removal**

A fast-track deportation process that allows immigration officers to remove individuals without a hearing before a judge. Often criticized for denying due process.

#### Title 42

A section of U.S. public health law used during COVID-19 to expel migrants rapidly at the border without allowing them to seek asylum. Criticized for violating international refugee protections.

#### **Family Separation Policy**

A U.S. immigration policy under the Trump administration that led to thousands of children being separated from their parents at the border. Condemned by the UN and human rights groups.

#### Reintegration

The process of helping deported individuals adjust and reintegrate into society in their country of origin, often involving housing, employment, education, and mental health services.

#### **Pushback**

A practice in which migrants are forced back across borders without being allowed to apply for asylum or have their claims heard. Widely regarded as a violation of international law.

## Chair's Tips

#### **Know the Law**

Thoroughly research and try to understand treaties involved such as the ones mentioned. Focus on their pros and cons and how they can be amended to become more effective.

#### **Represent Your Country**

Research about your country's immigration policies, treaty commitments, and regional stance. Even if it isn't directly involved, find connections from your position to universal human rights and the global implications of this problem.

#### **Write Strong Resolutions**

Resolutions should be:

- Realistic (implementable)
- Rights-based (centred on dignity and justice)
- Collaborative (include NGOs, UN bodies, and other states)
- Forward-thinking (address root causes, not just enforcement)

#### **Debate with Purpose**

Find countries with similar goals to form blocs and be diplomatic at all times during committee sessions. Talk actively during unmoderated caucuses and do your part in framing resolutions and debating.

#### Don't stress too much

It's totally okay to be nervous. If you forget your point or mispronounce something, just keep going; we've all been in that position some or the other time and it's all about learning.

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