ISSN (O): 2584-2196

INTERNATIONAL JOURNAL OF LEGAL AFFAIRS AND EXPLORATION

Volume 3 | Issue 3

2025

Website: www.ijlae.com
Email: editor@ijlae.com

ISSN (O): 2584-2196

IN SEARCH OF SAFETY: UNVEILING THE HUMAN FACE OF MIGRATION

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ABSTRACT

This article explores the concept of migration, its various forms, and the factors that drive people to relocate, such as economic instability, political unrest, and environmental challenges. It provides a historical overview, tracing migration from its origins in Africa to its spread across the world, and also examines the contemporary global scenario. The article highlights the accelerating causes of migration in today's world, focusing particularly on the violations of human rights that often accompany these movements. Data from the United Nations has been incorporated to underscore the scale and complexity of these migration patterns.

The article draws attention to the gap between international conventions and treaties, and the practical realities of their implementation, emphasizing the disconnect between legal frameworks and actual policies.

Through this analysis, the article argues that more compassionate yet reasonable migration policies are essential to protect the human rights of migrants. It also calls for international authorities to address the root causes behind migration—such as conflict, poverty, and persecution—in order to prevent displacement at its source, which would have a more sustainable impact in the long run.

INTRODUCTION

Migration is a widespread and recurring phenomenon observed across the globe. Individuals relocate from one place to another for a multitude of reasons , ranging from the pursuit of better employment opportunities to seeking refuge from political conflict, persecution, or environmental crises. In contemporary times, migration is no longer perceived merely as a driver of demographic shifts; it has emerged as a critical issue concerning human rights. Nations across the spectrum, both developed and developing, are grappling with the multifaceted challenges associated with increasing migration flows.

The inevitability of migration is further amplified in today's globalized world, where economic interdependence and transnational mobility are ever-increasing. It is common to witness professionals moving to countries that offer greater opportunities in their fields of expertise. Moreover, the global operations of multinational corporations often involve the transfer of

employees across borders, facilitating further mobility. According to the Population Division of the United Nations Department of Economic and Social Affairs (UNDESA), in 2024 the global number of international migrants was 304 million.[1]

However, migration may pose significant challenges when the rate of influx surpasses a country's capacity to equitably distribute resources and services. Additionally, the preservation of local culture and historical identity can be strained under the pressure of rapid demographic changes. Therefore, while migration is a natural and, in many cases, beneficial process, it must be managed with thoughtful policy-making that balances human rights considerations with national interests and sustainable development.

Historical Dimensions of Migration

It is often assumed that migration is a modern phenomenon; however, in reality, human beings have been relocating for various purposes since the dawn of civilization. From the earliest migrations of our African ancestors to different parts of the globe, movement has been an intrinsic part of human history. [2]The forced migration of slaves to the Ottoman Empire also stands as a significant historical example.

A major wave of global migration began during the era of European colonization, which reshaped demographic structures across continents. In the context of India, these migrations were particularly impactful. It is believed that the migration of people from the Zagros mountains and parts of Africa to the Indian subcontinent contributed to the establishment of the Harappan Civilization, one of the world's earliest urban cultures.

Furthermore, the migration of people from various East Asian regions into India played a dominant role in shaping its cultural and demographic landscape, leading to a rich tapestry of diversity that defines the nation to this day.[3]

MIGRATION: MAJOR DRIVERS

Migration is not inherently problematic. People have always moved in search of better opportunities, safety, and stability. However, issues arise when migrants are unable to secure legal recognition or integrate into the socio-economic systems of host countries. This lack of inclusion results in a range of human rights violations, turning immigrants into one of the most vulnerable sections of any society. The main traceable factors behind human migration are:

Economic Factors:

Economic instability remains one of the primary drivers of migration. There exists a direct correlation between income levels and the ability to access a better quality of life. Individuals and families grappling with poverty and unemployment often migrate to regions where job

[1] United Nations, "International Migration" https://www.un.org/en/global-issues/migration
[2] Striking - Women "The History of Migration" https://www.striking-women.org/module/migration/history-migration
[3]Guy Gugliotta, "The Great Human Migration". 2008, https://www.smithsonianmag.com/history/the-great-human-migration-13561/

opportunities are more abundant and economic conditions are comparatively stable, in hopes of improving their living standards.[4]

Political Factors:

Political unrest is another significant catalyst for large-scale migration. Conditions such as war, authoritarian regimes, lack of judicial independence, restricted civil liberties, and religious or ethnic persecution often compel individuals to flee their home countries. Many seek refuge in nations that offer political stability or, at the very least, a hope for safety and sustenance.

Social Factors:

Social dynamics also influence migration decisions. People may relocate to reunite with family members, marry individuals from other countries, or integrate into communities that share similar languages, customs, or cultural practices. The desire for social belonging and improved quality of life often underpins such movements.

Environmental or Natural Factors:

Natural disasters play a critical role in forced migration. Catastrophic events such as earthquakes, tsunamis, droughts, and floods can devastate communities, displacing residents and compelling them to seek shelter and security elsewhere. Environmental degradation and climate change are increasingly contributing to such involuntary movements.

LEGAL LANDSCAPE

When borders tighten, people on the move often become more exposed to violence, exploitation, or neglect. That's why it's vital to remember that every migrant, no matter their papers, still holds the same basic rights as anyone else. This idea is anchored in international human rights law, which rests on the simple truth that all human beings deserve dignity and protection. Some of the major rights available to migrants and refugees under IHL includes:

Right to Life

Arguably the most fundamental entitlement, the right to life is inviolable. Under Article 6 of the ICCPR and Article 2 of the ECHR, no one, including migrant, may be deprived of life arbitrarily. Beyond merely refraining from unlawful killings, States must take positive measures to preserve life, for example by ensuring safe conditions at borders and in transit.[5]

Equality and Non-Discrimination

[4]European Parliament,"Exploring migration causes: why people migrate", 2020 https://www.europarl.europa.eu/topics/en/article/20200624STO81906/exploring-migration-causes-why-people-migrate

[5] International Justice Resource Centre,"Immigration and MIgrant's Rights" https://ijrcenter.org/thematic-research-guides/immigration-migrants-rights/#:~:text=International%20human%20rights%20law%20guarantees,2%281

International law bars any differential treatment in enjoying civil, political, economic, social or cultural rights. Articles 2(1) of the ICCPR and 2(2) of the ICESCR oblige States to guarantee these rights "without discrimination of any kind," whether on grounds of race, gender, religion, nationality, or "other status", a category that plainly encompasses migration status.[6]

Prohibition of Torture and Inhuman Treatment

A peremptory norm of international law, the ban on torture and cruel, inhuman or degrading treatment admits no exceptions, not even in wartime or emergencies. States must enforce this prohibition fully, regardless of ratification of the UN Convention against Torture, and ensure that migrants are never subjected to such treatment.

GLOBAL CONTEXT: HUMAN RIGHTS VIOLATIONS

According to current estimates, international migrants make up around 3.7% of the global population. While many moves voluntarily for employment or education, the inability to secure legal status in host countries leaves them open to exploitation and marginalization.

Without proper documentation, migrants are frequently pushed into informal labour sectors where they are forced to work long hours for very low wages. Their lack of legal status strips them of labour protections and makes them vulnerable to abuse. Migrants, especially those from underdeveloped countries, are often placed in hazardous work environments and treated as second-class individuals. This exclusion deprives them of access to social security, healthcare, and other public services.[7]

Women and children migrants face compounded risks. They are more likely to be trafficked, coerced into sex work, or subjected to physical and emotional abuse. Their undocumented status and lack of access to safe housing or legal support further worsen their situation.

The plight of the Rohingya refugees is a stark reminder of this vulnerability. Without valid documentation or legal recognition in host countries, they are denied access to formal education, healthcare, and employment. Many are forced into informal work, surviving as daily wage laborers or domestic workers under exploitative conditions.

Even migrants who possess some form of authorized status are not immune. They often face systemic discrimination. In times of economic crisis, such as layoffs or recessions, undocumented migrants are usually the first to be targeted for deportation or removal. For instance, in the United States, there have been several recent cases where international students have had their visas terminated without being given any clear explanation, effectively stripping them of their right to stay and study.

Indian Context

[6] MIgration Data Portal ," Migrant rights", 2022, https://www.migrationdataportal.org/themes/migrant-rights
[7] UN, "Refugees and Migrants: A Crisis of Solidarity"https://www.un.org/en/academic-impact/refugees-and-migrants-crisis-solidarity

ISSN (O): 2584-2196

India functions both as a country of origin and destination for migrants. While internal migration within India is constitutionally safeguarded, the same cannot be said for international migrants. Approximately 28.7% of India's population are internal migrants, and around 4.9 million international migrants reside in the country — many coming from neighbouring nations like Bangladesh, Nepal, and Myanmar.[8]

Internal migrants often face difficulties in accessing essential services due to the lack of local identification. Even though they are citizens, they may be denied housing, healthcare, and education in unfamiliar states or cities.

The situation is more precarious for international migrants, especially because India lacks a formal refugee or asylum framework. These individuals live in constant fear of deportation or harassment due to their undocumented status. This legal vacuum leads to widespread exploitation, social exclusion, and denial of basic human rights.

Women migrant workers in India are particularly vulnerable to abuse in informal sectors such as domestic work or construction. Children from migrant families frequently experience disrupted education, child labour, and poor health due to frequent relocation and lack of stable living conditions.

Common Human Rights Challenges Faced by Migrants

Migrants across the world, regardless of origin or destination, face common patterns of human rights abuses. These include the denial of legal status and citizenship, exploitation in the workplace through underpayment and unsafe working conditions, discrimination based on ethnicity, religion, or nationality, and limited or no access to education and healthcare. Many are forced to live in overcrowded and unsanitary housing. Women and children are especially vulnerable to physical and sexual abuse, and undocumented migrants often fall victim to human trafficking and forced labour.

Migrants are also frequently detained or deported without due process. The absence of legal support makes it easy for authorities to exploit their precarious status. In addition, many are excluded from government welfare schemes, insurance, or social protection benefits. Their freedom of movement and expression is heavily restricted, and family separations are common due to deportation or migration laws.

CONCLUSION

[8] Daniel P. Sullivan, "A Lifetime in Detention: Rohingya Refugees in India" 2024https://www.refugeesinternational.org/reports-briefs/a-lifetime-in-detention-rohingya-refugees-in-india/

ISSN (O): 2584-2196

Migrants frequently encounter various forms of human rights violations in their daily lives. These violations may range from the curtailment of basic freedoms, such as the right to freedom of speech and expression, to more severe instances, including arbitrary detention and inhuman or degrading treatment. Hence the way forward in addressing migration and its related human rights concerns must begin with tackling the root causes that compel individuals to leave their home countries. Migration is often driven by the pursuit of a better life—whether through education, employment, or safety—and if such opportunities and basic human needs are ensured within a person's own nation, the necessity to migrate would significantly diminish. Furthermore, while legal boundaries between nations are inevitable, it is crucial to remember that we all belong to a shared human community. Immigration policies must, therefore, be crafted with empathy, compassion, and a commitment to preserving human dignity. Societies that receive migrants should also foster an environment of inclusion by cultivating empathy among their citizens through awareness initiatives, ensuring that migrants are treated with respect and support. Lastly, although international humanitarian law exists to protect migrant rights, its enforcement often lacks strength and consistency; hence, efforts must be made to reinforce and enhance the implementation of such laws to ensure that humanitarian protections are effectively upheld across all nations.