School of International Relations

Cover Sheet for Summatively Assessed Work
(**For 1st and 2nd Year Only**)

Student Name: Louise Anderbjörk

Student Matriculation No.:

Module Code: IR2006

Module Title: Studying International Relations

Module Tutor:

Assignment Title: Essay 1

Word Count: 2096
(including headings and footnotes/endnotes, but excluding bibliography)

Citation Style Used: Chicago: Author-Date

Due date for assignment: 22nd of February 2023

Date assignment submitted: 19th of February 2023

Declaration:
In submitting this work and completing this form, you confirm that you have read and understood the University's policies and regulations concerning assessment and academic misconduct.

THE GOVERNANCE OF FORCED MIGRATION IS DRIVEN PRIMARLY BY CONCERN FOR THE HUMAN RIGHTS OF THE DISPLACED. DISCUSS.

In past decades, forced migration flows from the Global South to the Global North have surged, and human rights of refugees is becoming a common topic of political debates. It is, thus, the aim of this paper to investigate to what extent the contemporary governance of forced migration is driven by human rights concerns of the displaced. In doing so, there will be a focus on the governance of South-North migration flows, and Sweden will be used as a case study throughout to effectively highlight the core argument of this analysis: humanitarian efforts in migration governance is little more than a framework of constructed state legitimacy behind which state-centric pursuits can continue to operate. This will initially be argued by examining how the core foundations of the global refugee regime undermines the prospects of human rights concerns in migration governance. Subsequently, the lack of humanitarian governance in practice will be accentuated by exploring state-centric patterns in the normative international society, as well as the roles they play in protecting state interests in the principal practices of 'asylum-granting' and 'burden-sharing' in forced migration governance.

To evaluate contemporary migration governance, one must first establish its normative and institutional foundations and their influence on the lessening degree of human rights concerns in forced migration governance. In 2015, following the violent consequences of the Arab Spring, the number of forced migrants, here understood as individuals involuntarily displaced by conflicts or natural disasters, rapidly surged to prompt the ongoing 'refugee crisis' around which contemporary migration governance operates (Puschmann et al. 2019, 21). EU countries received a record number of over 1.2 million first-time asylum applications in 2015, but despite these oft-quoted statistics from the Global North, the vast majority of forced

migrants still remain internally displaced in the Global South (Jacobsen 2019, 13-18). Western negligence towards migrants that never reach the Global North highlights the Eurocentrism that dominates international refugee governance and calls to attention the skewed and state-centric nature of the normative policy framework that is the so-called global 'refugee regime' (Bank, Fröhlich 2018, 1). It is the motivations of this dominant Eurocentric approach to refugee protection that the following analysis will seek to address. Therefore, the relatively limited South-North migration flows will have to remain the focal point in order to examine how such a narrow understanding of forced migration influences the presence of human rights concerns in the westernized refugee regime.

In simple terms, the global refugee regime can be argued to operate around the two main norms of 'asylum granting' and 'burden-sharing' as discussed further below (Betts 2011, 54-57). In accordance with the English School, these norms open up for the interpretation of the global refugee regime as a primary institution in the international society, where states and NGOs would be the two major actors that regulate the policy impact of the regime (Parrat 2017). It is predominantly the humanitarian efforts of NGOs or UNHCR as a secondary institution that account for most human rights concerns in migration governance. However, these non-state actors are dependent on state funding and, therefore, have little choice but to comply with state interests. Consequently, the entire refugee regime is effectively ruled and restricted by state-centric, and less human rights focused, migration governance (Gatrell 2019, 384).

These normative and institutional constraints on human rights in the global refugee regime can further be explained by examining the 1951 Refugee Convention, as the cornerstone treaty behind international migration policy. Its articles on refugees highlight merely two key

human rights standards in direct relation to international migration governance: firstly, the right to seek and enjoy asylum and, secondly, the non-discrimination principle (Kærum 2002, 514). Additionally, the 1951 Convention does not fully adhere to the UN definition of human rights as being "inherent to all human beings regardless of race, sex, nationality [...] or any other *status*" as the treaty categorizes migrants into different groupings and defines their rights based on their status as refugees (United Nations 2023). This strengthens the argument of forced migration governance as a practice underpinned, not by human rights concerns, but by state-centric policies.

To begin analyzing how a predominant state-centrism in refugee governance translates into migration policies in practice, the results of states seeking to maintain global order in the international society whilst adhering to its institutional norms should be discussed. The pursuit of international order under the refugee regime is best represented by states' persisting realist concerns for sovereignty and security in relation to increasing migration flows across borders. The restrictive refugee governance that has followed the 2015 migration surge evidently shows how states struggle with the increasingly solidarist definition of sovereignty towards which the international society is moving (Farahat and Markard 2016, 944-947). Sweden, as a case in point, initially welcomed the wave of forced migrants in 2015 with little restraint, but later reinstalled border controls and migration caps to reassert terrestrial sovereignty. Equally, the perceived security threat posed by migrants to the international society following migration related terrorist attacks, such as the one in Stockholm 2017, induced European states to further restrict their asylum grants as protective measures for national and regional security (Puschman et al. 2019, 25-29). There have also been state attempts at manipulating migration flows to keep refugees in their origin country, which demonstrates how sovereignty and security efforts under the refugee regime overrule

human rights concerns and are interlinked with the Eurocentric state priorities to protect existing power balances in the globalizing international society (Jacobsen 1996, 665).

However, in acknowledging the existence of an international society, one also values the influence of its normative framework of institutions on the policy making of states. The common norm behind both 'asylum granting' and 'burden sharing' as pillars in the refugee regime is the principle of non-refoulement which implies that a forced migrant cannot be returned to its origin country if in danger of physical harm (Farahat and Markard 2016, 924). As member states of the international society, there is therefore a correlation between cooperation in migration governance and political legitimacy. However, as the basis for cooperation by Western states are normative aspiration weighted mostly by non-legally binding treaties, the focus of forced migration governance becomes soft power diplomacy for states rather than humanitarian relief for the refugees. The practice of Sweden and other European countries to gradually decrease asylum recognition rates based merely on the number of previous asylum seekers from that country highlights this normative notion (Müller-Frank et al. 2020, 21-25). It strongly suggests how the human rights concerns in refugee governance is little but a socially constructed facade of norms in the international society that states selectively adhere to for political legitimacy.

A second aspect of forced migration governance in practice that further accentuates the selective human rights concerns of Western states, is the process of asylum granting and the increasingly nationalistic domestic politics that surrounds it. Sweden is a primary example of where asylum grants are reduced by hostile migration narratives, although effectively veiled internationally by its multicultural and humanitarian state reputation in the international society (Borevi 2013, 138-145). The significant drop in the Swedish asylum acceptance rates

from 55.4% in 2015 to 23.5% in 2020 clearly indicates a trend of restricted movement across Swedish borders, and this is a development that poststructuralist interrogations of the reinforced migration bureaucracy can dissect (Migrationsverket 2023). The Swedish asylum process is, namely, governed by the power of language and knowledge production, which becomes most apparent when considering how migrants are ordered into categories with different asylum rights based on westernized academic, juridical and political definitions of 'legitimate refugees' (Hyndman 2000, 163). This has created a prejudiced migration system in which the migrants' ability to argue for their credibility and compatibility in Sweden's constructed migration categories is the most influential variable to the outcome of their asylum request (Wernesjö 2020, 390-401). Furthermore, the post-structural concept of surveillance is ever present in the rising numbers of detained asylum seekers, who's restricted rights of free movement is justified by discourse of personal and national security (Costello and Mouzourakis 2016, 47-73). It is, thus, evident how the power in shaping political and legislative discourse around migration is nourished by policymakers in the West in order to regulate the narrative of asylum seekers and, effectively, to whom the asylums are granted.

Moreover, political discourse has a critical influence on the domestic welfare of migrants. This is most notably demonstrated by the rise of Sweden's populist nationalist party, the *Swedish Democrats*, and how the support of their hostile rhetoric is undermining refugee integration. The *Swedish Democrats* have normalized the narrative of the migrants as an economic and social burden for society and intensified public demands to prioritize Swedish citizens' access to the welfare system over social services for refugees (Punschman et al. 2019, 29-30). Consequently, the Swedish government's efforts to strengthen human rights for newly arrived migrants have been restricted by voters, as made apparent by the unequal access to healthcare and permanent residence available to forced refugees (Punschman et al.

2019, 31-32). This proves how public discourse, controlled by political narratives, extends the exclusion of forced migrants to the domestic level and effectively dictates their access to human rights within European states (Kærum 2002, 524).

When combining the normative aspirations of migration governance with the underlying state-centrism and domestic reluctance towards refugee integration, the policies of 'burden-sharing', in theory, emerge as a mid-way solution to human rights concerns of displaced. Burden-sharing refers to the norm of providing financial support to the protection of refugees in another state (Betts 2008, 53-60). Following the migration flows since 2015 it has, however, become apparent how burden-sharing principles are not working in practice. Western states are increasingly taking advantage of international financial assistance to origin countries as a way to keep migrants in the Global South and, thereby, evade the heaviest responsibility in the refugee regime of being a host country (Newman 2017, 67-74). In 2021, Sweden contributed USD 145.7 million to UNHCR, which makes it one of the biggest state donors to global migration governance (UNHCR 2023). Although one could pursue this as an argument for humanitarian concern, the past analysis would suggest the likelihood of Sweden seeking to enjoy the benefits of publicly adhering to the norms of the international society, whilst in reality outsourcing the responsibilities of refugee protection back to the Global South. As one of the countries that have granted most asylums per capita since 2015 and know the financial burden of domestic migration governance, Sweden may see the outsourcing of refugee protection through economic means as a utility-maximizing prospect of reducing their own cost in migration governance (Thieleman 2003, 262).

Furthermore, the lack of humanitarian concern behind the normative concept of burden-sharing is accentuated when examining the need of 'issue-linkages' for cooperation in the

refugee regime. Alexander Betts describes issue-linkages as the correlation between the perceived material and diplomatic benefits for states in the Global North to engage in burden-sharing, and their subsequent willingness to do so (Betts 2008). In the cases where burden-sharing for refugee protection have been successful, it was clear that the support from Western states did not originate from altruistic intentions, but rather from a realist desire of regional and international security issues and chances of material and financial gains (Betts 2008, 53-69). The narrative of issue-linkages has, thus, altered the motives of states to engage in burden-sharing, by reducing the original concern for humanitarian relief in favor of possible state-centric advances from international governance of forced migration.

To conclude, by examining the global refugee regime in the context of South-North migration flows in a Eurocentric international society, it has become evident that the governance of forced migration is *not* driven primarily by concerns for the human rights of the displaced. Instead, the normative and institutional foundations of the regime has allowed state-centric pursuits by Western states to dominate the governance of forced migration. As demonstrated by Sweden, the legitimacy of adhering to norms in the international society provides an effective cover for underlying sovereignty and security priorities in global refugee governance. Hostile discourse and public opinion is being used by policymakers in the shadow of normative cooperation to restrict the number of asylums granted and reduce the investments towards domestic welfare of refugees. Equally, states take advantage of loop-holes in the norm of burden-sharing to either financially outsource the responsibilities of migration governance, or secure materialistic gains through issue-linkages in international refugee protection. State interests, thus, evidently remain the core driver within the refugee regime, and human rights concerns in forced migration governance becomes little but a westernized construction to strengthen political legitimacy.

Reference List

Bank, André., Fröhlich, Christiane. 2018. "Forced Migration in the Global South: Reorienting the Debate". *German Institute of Global and Area Studies (GIGA)*, June Nr 3, pp. 1-13

Betts, Alexander. 2008. "North-South Cooperation in the Refugee Regime: The Role of Linkages". *Global Governance* 14:2, pp. 157-178

Betts, Alexander. 2011. "International Cooperation in the Refugee Regime". I*n Refugees in International Relations*, edited by Alexander Betts and Gil Loescher, pp. 53-84. Oxford: Oxford University Press

Borevi, Karin. 2013. "The Political Dynamics of Multiculturalism in Sweden". In *Challenging Multiculturalism: European Models of Diversity* edited by Raymond Taras, pp. 138-160. Edinburgh: Edinburgh University Press

Costello, Cathryn., Mouzourakis, Minos. 2016. "EU Law and the Detainability of Asylum-Seekers". *Refugee Survey Quarterly* 35:1, pp. 47-73

Farahat, Anuscheh., Markard, Nora. 2016. "Forced Migration Governance: In Search of Sovereignty". *German Law Journal* 17:6, pp. 923-948

Gatrell, Peter. 2019. "Western NGOs and Refugee Policy in the Twentieth Century". *Journal of Migration History* 5:1, pp. 384-411

Hyndman, Jennifer. 2000. "Crossing Borders in Theory and Practice". In *Managing Displacement: Refugees and the Politics of Humanitarianism*, edited by Jennifer Hyndman, pp. 149-167). Minneapolis: University of Minnesota Press

Jacobsen, Karen. 1996. "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes". The International Migration Review 30:3, pp. 655-678

Jacobsen, Karen. 2019. "Refugees and Global Migration". *Great Decisions* published by Foreign Policy Association, pp. 13-24

Kærum, Morten. 2002. "Refugee Protection between State Interests and Human Rights: Where is Europe Heading?". *Human Rights Quarterly*, 24:2, pp. 513-536

Migrationsverket. 2023. "About the Migration Agency: Asylum" (accessed on 2023-02-15): [Statistics about asylum applications - Migrationsverket](#)

Müller-Frank, Lea., Fröhlich, Christiane., André Bank. 2020. "State(s) of Negotiation: Drivers of Forced Migration Governance in Most of the World". *German Institute of Global and Area Studies (GIGA)*, August Nr 323, pp. 1-42

Newman, Edward. 2017. "The Limits of Liberal Humanitarianism in Europe: The 'Responsible to Protect' and Forced Migration". *European Review of International Studies* 4:2, pp. 59-77

Parrat, Charlotta. F. 2017. "On the Evolution of Primary Institutions of International Society". *International Studies Quarterly* 61:3, pp. 623-630

Puschmann, Paul., Sundin, Ebba., De Coninck, David., d'Haenens, Leen. 2019. "Migration and International Policy in Europe: Comparing Belgium and Sweden". In *Images of Immigrants and Refugees in Western Europe: Media Representations, Public Opinion and Refugees' Experiences*, edited by Leen d'Haenens, Willem Joris and François Heinderyckx, pp. 21-36. Leuven: Leuven University Press.

Thieleman, Eiko. R. 2003. "Between Interest and Norms: Explaining Burden-Sharing in the European Union". *Journal of Refugee Studies* 16:3, pp. 253-273

United Nations. 2023. "Human Rights" (accessed on 2023-02-14): [Human Rights | United Nations](#)

United Nations High Commissioner for Refugees (UNHCR). 2023. "2022 in Review" (Accessed on 2023-02-19): [NEU – Sweden Spotlight Page - UNHCR Spotlight](#)

Wernesjö, Ulrika. 2020. "Across the threshold: negotiations of deservingness among unaccompanied young refugees in Sweden". *Journal of Ethnic and Migration Studies* 46:2, pp. 389-404