P07 / The Global Politics of the Implementation of Migrants' Rights: Policy Instruments and Controversies

Topic : COMPARATIVE PUBLIC POLICY

Chair : Mireille Manga (International Relations Institute of Cameroon (IRIC), University of Yaoundé II)

Second Chair : Oluwasegun David Yusuf (University of Pretoria)

Third Chair : TSALA Ezéchiel (Université de Ngaoundéré)

Fourth Chair : Jean Emmanuel Minko À Bitegni (Université de Maroua)

GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

Global migration governance is a normative and sociopolitical challenge which materialises in transnational policymaking processes. By transnational policymaking, we mean policymaking process that emerges from transnational mobilisation of various states and non states agents around common concerns such as immigration, health, poverty, environment, among others or the resolution of common problems which do not respect national jurisdictions and need to involve more than one nation or domestic actors (De Oliveira, 2022). In this panel, we invite proposals that bring into the discussion the transnational migration policy settings and their instruments brought up by different historical contexts of the collective management of human migrations. These instruments may include, but are not limited to the uses of conventional and non-conventional policies and strategic arrangements put in place by states or governments to address the international movements of populations and their human rights, all categories and varieties considered.

Most specifically, panel would like to invite papers that focus on, but are not limited to the following questions:

- What kind of transnational arrangements characterise the global governance of migration across regions and over time?

- Which migrants' rights are promoted and secured across States' borders and transnational juridictions, regional and national legislations?

- Does economic sovereignty influence the structuration of the global governance of international migration?

- What methods and policy research approaches can be used to study and interpret the emerging types of policy arrangements?

- Who frames policies and who fails to comply?

- Do controversies emerge from the global governance of international migrations ?

- Do migration global policy instruments vary across regions? and how?

This panel is an opportunity to question the relevance of traditional and emerging theories and methodologies of the policymaking process research and their capacity to advance intersdisciplinary and transdisciplinary approaches.

CALL FOR PAPERS

This panel will expect papers using an exploration of mixed research methods, quantitative and qualitative research that focus on discussions and research on the many conversations around migrants protection and their legal rights along with how these arguments and conversations lead to policy instruments which are innovatively used for the protection of migrants legal rights by citizen groups, migrant groups, CSOs and the state agencies. Across various perspectives and contexts, authors may examine different stages of public policy in migration governance and migrants legal rights, including agenda-setting, policy formulation, analysis, decision, implementation, evaluation and post-implementation

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Session 1

Friday, July 4th 08:00 to 10:00 (D1)

Enhancing Migrant group rights and protection through dialogue

Oluwasegun David Yusuf (University of Pretoria)

The main objective is to focus and take stock of various conversations and discourses around public policy targeted at legal engagement and dialogue on migrants' protection and rights across the globe. Given that migrants are many atimes on the receiving end of migration policies which are focused on intensive securitisation, protectionism, and fortress building rather than managing migration.

Global migration management and policy has received political and foreign policy attention with follow-up actions by global and continental frameworks. The United Nations Global Compact on Safe, Orderly and Regular Migration, the 2015 European Union (EU) border hotspot externalisation regime and the African Union (AU) Migration Policy and Development Framework 2006 are a few examples.

In relation to the fundamental legal compliance on the legalities of migration and the treatment of migrants, the United Nations' 1990 global conventions and protocols outline the protection of migrants everywhere globally from forceful expulsion and human rights abuses while specifying the migrants' rights to diplomatic protection, legal assistance and equal legal treatment. In many receiving societies, soft tensions and dialogues do continuously exist among migrants' group with citizens and the state to rightly establish the rights of migrants.

Migrants are a special interest group which influence relations in the sending and receiving society to create a sort of push and pull, enabling and restraining force field, where the more powerful, supreme, exerting and influential group, who can lobby, do greatly influence public policy decisions. Group theory in Public Policy and Public administration, explains that (organised, protection or special interest group theory) interest groups shape and change public policy due to the force field of continuous struggle among each other. When there is a good balance of interest groups influence, there is a net gain equal to the net loss of influence for each group (state and migrant group), per time. (Anderson 2014, Anyebe 2018, Dye 2016).
To contribute to the migrants' protection and dialogue conversations which expand the diverse frontiers of migration management knowledge and the participatory process of global change in shaping global migration and public policy trajectories. This research uses both quantitative and qualitative research to focus on migrants' protection dialogues among various country stakeholders which will influence and impact on migration policy in both the sending countries and receiving countries globally.
RESEARCH QUESTIONS
•Why are migrants unprotected and experiencing unequal rights?
•What new policy engagements and phenomena are created among various public policy actors as a result of migrants right and inter country dialogue?
•How can intercountry migration dialogues and engagements be made to protect the legal rights of migrants?
•How does the intercountry dialogue to protect migrants rights shape relations between state, citizen and noncitizen actors.

(Virtual) Non-Governmental Organizations Advocacy Role within Inclusive Migration Policies in The European Union

Gabriele Masiulyte (Kaunas University of Technology)

The increasing role of non-governmental organizations in advocating for inclusive migration policies in the European Union highlights the need for a deeper understanding of their influence, strategies, and challenges. This research examines the complexities of NGO advocacy, aiming to explore the strategies used by these organizations to amplify the voices of migrants in EU policymaking processes. Through a combination of literature review and semi-structured interviews and policy analysts, the study identifies the challenges that non-governmental organizations face, such as legal restrictions, financial challenges. The findings of the research will contribute to the development of more effective strategies that enhance NGO influence on migration policies.

Popular-nationalism and Indonesia’s Humanitarian Foreign Policy: Case of Rohingya Refugee Rejection

MIRZA FANZIKRI (Universitas Islam Internasional Indonesia)

In the nation-state era, the settlement of Rohingya refugees in Indonesia has become a significant challenge for the country. From the Indonesian perspective, some constraints impede the country's capacity to accommodate Rohingya refugees. Conversely, Indonesia is becoming increasingly prominent as a proponent of democratic principles and a defender of human rights, both within the Southeast Asia region and on the global stage. This dilemma gives rise to the question of how Indonesia should respond to the Rohingya refugee crisis in a manner that is also consistent with international norms. The paper delineates the phenomenon of community rejection as a popular nationalism phenomenon that is deployed by the state as a strategic tool to circumvent international norms due to domestic security concerns. Despite the contradiction between the rejection of Rohingya refugees and Indonesia's humanitarian principles and international norms, the framing of mass mobilization allows Indonesia to justify the rejection of Rohingya refugees as a domestic security matter in its foreign policy. These phenomena will be described using Putnam's two-level game theory to analyze and identify social phenomena at the domestic level that affect foreign policy internationally. This paper will examine how Indonesia deems community rejection a viable strategy to circumvent international norms and ASEAN commitments, particularly in the context of a domestic contest concerning stability, security, and public order – all of which are crucial domestic interests for the state to consider. It thus unpacks how Indonesia maintains its position and status as a promoter of democracy and a defender of human rights in the region and globally while dealing with domestic Rohingya refugees rejection.

(Virtual) Immigration, Migration, and the Rise of Tribalism: Examining the Past to Inform the Future

Carolyn Geiser (Colorado Technical University)

Gregory Geiser (Sinclair College)

Immigration, Migration, and the Rise of Tribalism: Examining the Past to Inform the Future

Today, divisions based on partisanship, ideology, ethnicity, gender, nation, class, religion, and generation define polarization within society; a major point of contention is immigration and migration from people changing places of residence. In this paper, we tease apart immigration and migration as both result in a form of tribalism. Here, immigration is the movement from one government-controlled place to another, whether granted permission to do so or not. Migration is movement from one space to another, regardless of geopolitical boundaries and legal stipulations. Tribalism, a form of nationalism, is the reaction to perceived irreconcilable differences between the “in” group, the majority inhabitants of a geographic and social area, and the “out” group, the newcomers to this area. This is a burgeoning crisis for governments, societies, and the economy of nations which all receive the benefits and pitfalls of the immigration/migration/tribalism spectrum.

There are diverse reasons for people to immigrate or migrate, yet the impact on the resident population of an area creates social, legal, and economic challenges that result in tribalistic and nationalistic behaviors. Exploration, explanation, and interpretation of the political and social policies of the past lead to ways that can alleviate tensions in immigration, pressures of migration, and potentially reduce tribalism in society. An examination of historic immigration policy in Canada and the United States can inform future stakeholder

decision making.