

Migration Policy, Refugee Rights, and International Cooperation

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Conflict and economic inequality as well as climate change and political instability have led to migration being one of the most controversial topics of the current global politics. Another issue that is becoming more and more challenging to the states is the need to balance sovereign dominance of the borders with the need to be humanitarian to refugees and migrants. Migration policy is therefore at the nexus of the domestic politics, the international law, and the multilateral collaboration and therefore critical issues concerning the right of the refugee and the efficiency of the multilateral governance arise.

On the international level, the principle of non-refoulement the idea that one should not be sent back to a place of persecution assumes the leading role in protecting refugees by the foundation of the 1951 Refugee Convention and the 1967 Protocol that have become the main sources of control over the protection of refugees. Through these legal frameworks, refugees are seen as those who are escaping persecution along race, religion, nationality, political opinion or any membership of a specific social type. Although these conventions are an important normative success, their actualization is uneven, with the states having a lot of discretion over the asylum processes and enforcement (Betts, 2011).

Home country migration policies are not determined by humanitarian engagements but instead political dictates. Security related issues, employment issues and cultural identity in several destination countries have caused an even tougher policy approach which encompasses externalized border policies, and deterrence policy. These strategies could limit the abnormal arrivals in the short-run but frequently compromise the rights to refugees as they sometimes transfer the burden to transit organizations with less efficient protection structures (Hollifield, Martin, & Orrenius, 2014). This strain exemplifies the flawed consistency between global norms and the state practice.

International collaboration is needed in large displacement since flows of refugees would often exceed the national capacity of the particular states. To decrease burdens of greater equity, burden-sharing strategies comprise resettlement schemes, financing help support and regional protection systems. Collective action problems do tend to impede cooperative efforts but, in many instances, states are unwilling to make cargo binding obligations that may have cost implications to their domestic politics. An example of such challenges is the reaction of the European Union toward the 2015 refugee crisis when the member states did not seem to come to an agreement regarding mandatory relocation programs, thereby revealing strong divisions in the area of solidarity and sovereignty.

With these challenges, new variations of cooperation have been formed. Global compacts like the Global Compact on Refugees focus on responsibility-sharing, development focused solutions as well as state-state partnerships, international organizations-state inventions and civil society. Though these backgrounds are not binding, their aim is to enhance coordination and facilitate increased predictability to displacement. Critics state that they are not effective due to their voluntary nature, and advocates define them as a sensible move towards a step-by-step improvement (Betts, 2011).

Finally, the migration policy and the refugee protection is one of the most debatable fields of governance on the international level. International legal norms are used to give the base of the rights of refugees but its implementation relies on political goodwill and continued collaboration. The problem of displacement can be solved through bringing state interests and humanitarian ethics into correspondence and more powerful multilateral mechanisms that can address the complicated factors of migration.

References

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