

International Migration In Security Studies: The Urgency Of Global Governance In Regulating, Managing And Preventing Illegal Migration

I Putu Astika¹, Sutrimo Sumarlan², I Putu Eka Asmara³

¹²³Defense Diplomacy, Defense Strategy Faculty, Indonesia Defense Univesity

Email: iputuastikadp@gmail.com



Abstract – Migration can be understood as a complex process of population movement across social boundaries, both within and between nation-states, which has an impact on adding or reducing people. Migration includes temporary and permanent movement activities, such as seeking asylum, economic migrants, and illegal migration. The global economic crisis is suspected to be causing emigration to experience a decrease in numbers. This paper will focus on discussing migration from the point of view of international security studies and efforts to manage the migration process not only at the national policy level, but also globally through global governance. The security perspective proposition sees migrants as a threat to security, but from a security standpoint, refugees and irregular migrants only seek international protection from the battlefield. From a humanitarian point of view, the arrival of migrants needs to be addressed as an instinctive human effort to become a shelter. There have been 176 bilateral agreements that regulate cross-border migration. This agreement can be an effective method for managing migrant traffic, tracking the position and status of migrants, and placing migrants in productive sectors in destination countries. The implementation of the principles and agreements in international migration instruments does not only require commitment, but also political will as well as increased capacity and resources.

Keywords – Migration, Illegal Migration, Global Governance

I. INTRODUCTION

The 1960s marked the impact of traditional immigration significantly, especially in North America and Oceania. Following this period, since the 1900s there has been an increase in the scale of human movement so that the total world population who are not outside their country of origin reaches 2% (Martin and Widgren 1996 in Graham and Poku 2000, p. 2). As the number of immigrants increases, there are also variations in patterns of international population movement, whether done as a way of getting work in other countries or as a result of natural disasters, epidemics, or wars. In addition to increasing numbers and variants, there are dynamics in terms of immigration because there are more and more global institutions that function as shapers of levels and patterns of international migration. Moreover, the involvement of the government in immigration affairs is increasing, such as limiting the number and characteristics of immigrants as well as the emergence of government awareness of the benefits of remittances—a kind of aid fund—for national development and awareness to support various types of emigration (Graham and Poku 2000, p. 2). In the context of this writing, international migration can be grouped into at least two categories of migration: refugees and irregular migrants. Quoting Collinson (1993, p. 59 in Njaim 2018, p. 26), a refugee is someone who has saved himself from various life-threatening situations, such as war, famine, natural disasters, oppression, persecution, or massive human rights abuse. Meanwhile, irregular migration is defined by the European Commission as the movement of a person to a new place of residence or transit outside the norms of the country of origin, transit or destination country. This paper will focus on discussing migration from the point of view of international security studies and efforts to manage the migration process not only at the national policy level, but also globally through global governance.

II. LITERATURE REVIEW

Before further discussing migration in the perspective of security studies, it is necessary to understand the definition of migration. Referring to O'Neill (2006, 326), migration can be understood as a complex process of population movement across social boundaries, both within and between nation-states, which has an impact on adding or reducing people. Migration includes temporary and permanent movement activities, such as seeking asylum, economic migrants, and illegal migration. This activity is often perceived by the public as a threat, considering various criminal acts such as drug and human trafficking, theft, and terrorism committed or involving migrants. Huymans (2000, p. 725 in O'Neill 2006, p. 326) states, there are three dangers that migration brings to the security of society, namely: 1) disturbance of public order, 2) threats to cultural identity, generally seen from competing cultural values and norms, as can be seen in the ban on religious symbols in France in 2004, and p. 3) the destabilization of the domestic labor market. International migrants are then defined by Koser (2010, p. 303) as people who live outside their country of origin for more than one year. Using the definition presented by O'Neill and Koser, it can be understood that international migration is the movement of people across social and geographical boundaries both legally and illegally. In 2008 there were 214 million international migrants and this number continues to increase. Based on data from the Organization of Economic Cooperation and Development (OECD), as of 2017 there were more than 1.3 million international migrants living permanently in Germany. This number contributes as much as 1.1% of the entire German population. In second place, there is the United States with 1.1 million international migrants followed by the United Kingdom at 520,000 (OECD, 2019). The global economic crisis is suspected to be causing emigration to experience a decrease in numbers, but when the economy starts to recover and job vacancies appear, the scale of migration can increase again. This is because the causes of migration cannot be eliminated (Koser 2010, p. 303). Meanwhile, irregular migration is defined by the European Commission as the movement of a person to a new place of residence or transit outside the norms of the country of origin, transit or destination country. This paper will focus on discussing migration from the point of view of international security studies and efforts to manage the migration process not only at the national policy level, but also globally through global governance.

For a long time, the issue of migration has been under the control of national policies and bilateral/multilateral agreements. Migration then becomes one of the situations that underlies the idea that certain individuals can pose a threat to state security. This kind of thinking can be observed in Adamson's opinion (2006 in Bourbeau 2011, p. 1) regarding the impact of migration on state interests in the three core areas of national security focus, namely state sovereignty, the balance of power between countries, and the nature of violent conflict in the international system. It should be noted that much earlier, the study of migration in security studies began to develop rapidly since the 1980s. The intersection between human movement and world politics then makes it possible to apply a security framework to it. This application is then called securitized migration (Cornelius et al. 2004 in Bourbeau 2011, p. 11). Simply put, because migration is considered a threat to the security of countries, this process has become a trend in security studies. In his book, Bourbeau (2011, p. 11) provides two countries for comparison, namely Canada which is labeled as "classic countries of immigration" and France which is referred to as "reluctant countries of immigration". Immigration matters have been crucial in Canadian history, considering that immigration is an effort to expand the population, improve the economy, and develop society (Reitz 2004, 100 in Bourbeau 2011, p. 12). Some academics have made the proposition that immigration has been and will continue to be an integral part of Canada.

Canada and France represent democratic countries, have advanced industries and capitalist economies. But on the demographic side, both have low population growth rates, at 1.6 for Canada and 1.8 for France). This situation is at risk of population decline, therefore international immigration is a deterrent to this risk (Bourbeau 2011, p. 13). On the one hand immigration can prevent a decrease in population, but there has been securitization of immigration in both countries, so the question that arises is how to explain these two situations. Immigration issues have become a public agenda for both. In Canada, the debate has focused on the ramifications of setting boundaries to protect Canada's sovereignty and its relationship with the United States in the aftermath of 9/11. Meanwhile in France, the National Front under Jean-Marie Le Pen demanded a revision of the immigration law (Bourbeau 2011, p. 14). As previously mentioned, opposition to immigration and its relation to security is rooted in stereotypes of the tendency of migrants to act criminally compared to local residents (Guiraudon and Joppke 2001 in Bourbeau 2011, p. 17). Responding to the development of stereotypes of this kind, the data presented by Lynch and Simon (2003 in Bourbeau 2011, p. 17) show that the level of involvement of immigrants in criminal cases is 2.5 times greater than that of natives. In contrast, in Canada immigrants have a lower crime rate than local residents.

The tendency of criminal acts of migrants requires more attention considering four things, first, the concept of crime has different meanings in various countries. Second, statistics containing the involvement of immigrants in criminal acts is a function of immigration policy. Strict policies can increase the number of detected crimes, and therefore have a negative bias in statistics. Third, there is an offensive attitude towards immigrants, so that violations increase intrinsically, and lastly, the relationship between migration and crime depends on perception and construction rather than objective reality. Using the conditions in these two countries, the negative perception of immigrants in France causes them to be positioned as a threat. As many as 44% of the French population think so. On the other hand, 27% percent of Canadians agree that immigrants can increase crime rates, a significant amount compared to France. Based on this data, Bourbeau (2011, p. 18) then concluded that the link between migration and crime stems from social construction.

Comparing the several opinions regarding the link between migration and security above, the author adopts O'Neill's proposition (2006, p. 326) regarding the threat of migration to public order, identity, and employment. This is because his opinion comprehensively covers the country's national interests from a social, economic and cultural perspective. In the case of international migration due to war, as happened in Syria, it occurs unplanned so that illegal migration is prone to occur. Migration without procedures will make tracking difficult for migrant data collection. For migrants whose background is refugees, of course economic capacity starts from scratch, when tracking fails, it does not rule out that these migrants will burden the destination country and cause disorder in society—something that is an indicator of national security. Another consideration taken by the author regarding the issue of migration as part of contemporary security studies is the opinion of Huysmans (2004, p. 16). Initially the issue of migration was in the focus of humanity, so that it also required a humanitarian response, however, along with political and economic changes in the international system, large-scale human movements then affected political, economic and strategic developments in the world. The massive flow of refugees from East Germany to West Germany in 1989 helped to bring down the Berlin Wall and at the same time marked one of the significant transformations of international relations since World War II (IIS 1991, p. 37-38 in Huysmans 2004, p. 16). That is, security studies which were originally composed exclusively by doctrine and strategic aspects regarding war, military alliances, and efforts to overcome military threats in the international system, began to be filled with humanitarian affairs such as migration (Huysmans 2004, p. 16).

III. RESULT AND DISCUSSION

3.1 Dilemma: Between Security Perspective and Human Perspective

Having previously discussed the relationship between migration studies and security studies, Njaim (2018, p. 26) then presents two different perspectives in seeing the interrelationship of the two concepts, namely the viewpoints of Security studies and Migration Studies (Huysmans and Squire 2010 in Njaim 2018, p. 26). In the dilemma regarding these two views, proponents of the security perspective proposition see migrants as a threat to security, but from a security standpoint, refugees and irregular migrants only seek international protection from the battlefield (Njaim 2018, p. 26). International migration presents the international community with a dilemma, namely the option of opposing migration for security reasons or supporting migration for humanitarian purposes. The post-Cold War period of world instability triggered mass displacement of people. Policy makers are not only faced with humanitarian affairs, but also the serious consequences of mass displacement for national stability, international security, and the new world order (Loescher 1992, p. 3 in Huysmans 2004, p. 15). One of the dilemmas faced by the state government is the ethnic dilemma. When a country's government decides not to interfere with immigrants, levels of discrimination, racism, and ethnic exclusion can increase. But because the state intervenes through positive discrimination strategies, the principle of equality has been violated and the majority population will become the basis for law enforcement. Government intervention then creates a social reality where people are grouped on the basis of race, which should be abolished (Friedman and Randeria 2004, p. 105).

3.2 International Migration in a Security Perspective

The security risks brought in by irregular immigrants are the erosion of national identity and/or the danger to the way of life of people in Western countries that tend to be prosperous (Push 2000, 19 in Njaim 2018, 27). Threats to the cultural identity of the people of the immigration destination country can trigger demands on the country's constitution to limit migration (Buzan 1991, p. 447 in Njaim 2018, p. 27). Furthermore, demands originating from the community can be placed as public opinion which plays a crucial role in the process of framing migration as a security threat even if it is not real. In several countries, the issue of

migration is used as a tool by political leaders to get votes in general elections, due to the high sentimental level of the issue. Referring to the writings of Ceyhan and Tsoukala (2002, p. 21 in Njaim 2018, p. 27), the anxiety of Western countries facing concerns and fears about security and identity is a representation of partisan right-wing parties in Europe who oppose immigration policies. The BREXIT reference is one form of concern for conservatives about the thought of national sovereignty (Njaim 2018, p. 27).

3.3 International Migration in a Humanitarian Perspective

On the one hand, the world is currently witnessing population displacement due to civil war, oppression, and epidemics, which have yet to be stopped. In the midst of a crisis due to unsafe housing, these displaced residents are willing to fight for anything in order to reach a much safer and protected place under the 1951 Refugee Convention. This condition then opens wide the gates of refugee smuggling and creates a humanitarian dilemma for the country with a big question, whether this kind of migration is classified as a criminal act or not. Developed countries, as recipients of immigrants, are often seen as hypocritical because on the one hand they uphold democratic values and protect human rights, but when faced with the issue of migration, these countries will place it as a humanitarian crisis rather than a threat to security. Njaim 2018, p. 28). The issue of migration brings destabilization and insecurity to the state and territorial security situation. Before describing several state responses to this condition, the following opinions can serve as an introduction. First, Elias and Scotson (1994 in Huysmans 2006, p. 2) present the argument that insecurity is a politically and socially constructed phenomenon. When one party perceives that the arrival of a group of foreigners into the community of a country's residents is a threat, the other party can understand and manage the situation in the opposite way. This depends on the political and social processes encountered when a party tries to interpret phenomena. Buzan (1991 in Huysmans 2006, p. 2), in line with Elias and Scotson's assumption that insecurity depends on certain variables, argues that insecurity differs based on the origin of the threat and the object being threatened. For example, in the social security sector, insecurity is understood as a threat to identity, while in the military sector, insecurity occurs when there is military aggression that endangers state sovereignty. These two understandings of insecurity illustrate that the degree of security of a country is determined by self-determined indicators. Broadly speaking, the state can be said to be insecure when there are threats. Taking the cases of Canada and France above, almost half of the French population surveyed have a negative view of immigrants, while only 27% of Canadians view immigrants as a negative actor. This data at the same time shows that with a similar survey, residents in the two countries have their own standards in perceiving a condition.

3.4 Responses of States to International Migration

Referring to the 1997 European Union document Article B as quoted by Bourbeau (2011, p. 25), the European Union area needs to be realized and developed as an area that supports freedom, security, justice, where human movement is guaranteed and in accordance with external boundary controls, asylum, immigration, and the prevention and suppression of crime. In France's 1994 Defense White Paper, it was stated that the disorganized migration of people started from dire economic conditions. In order to overcome this kind of situation, solutions are needed to improve the lives of residents in developing countries before greater migration occurs (Ministère de la Défense 1994, 11 in Bourbeau 2011, p. 34).

3.5 Immigration and Global Governance

The issue of international migration can be classified into the category of cross-border issues such as trade and the environment. However, it is important to underline that international migration has contrasting differences with regard to trade and environmental issues, namely the lack of an institutional framework at the global level for regulating migration as well as preventing and resolving issues between countries in conflict. International migration is not discussed legally and normatively in one document, but is derived from customary law. Customary law can be understood as a binding global and regional instrument (Koser 2010, p. 301). There are five reasons behind the need for cooperation between countries globally in efforts to deal with international migrant issues and manage cross-border population movements. First, contemporary international migration takes place unexpectedly and has global implications. Surveys show that everyone in thirty-five of the world's population is a foreign migrant. International migration is a global issue that is still underestimated and managed nationally. Regulations at the national level are considered inadequate because migration issues involve at least two countries. Second, the national migration policy is no longer able to manage migration effectively. Third, there is a growing number of migrants who are vulnerable to exploitation and are not protected by any state or international institution. Fourth, the global structure of the economy as well as the impact of

climate change has affected the increase in international migration in various places. Lastly, the momentum for change is growing but slowly. Luckily, more and more governments are willing to join the discussion on formulating solutions for international migration. In addition, there has also been an increase in collaboration between global institutions that focus on international migration (Koser 2010, p. 304).

Guarantees for the rights of migrants are contained in two international instruments, namely: 1) fundamental agreements on Human Rights, such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention Against Torture (CAT), and the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and 2) the 1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Furthermore, countries through the United Nations, agreed and ratified a protocol to prevent trafficking in human beings, especially women and children, as well as the Protocol Against the Smuggling of Migrants by Land, Sea, and Air. In addition to the two instruments above, a global institution that also guarantees the role of migrants in world society is the International Labor Organization (ILO) (Koser 2010, p. 308). Despite the existence of these instruments, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has only been signed by forty-two countries of destination for migrants as of 2010. Eight years later, this number has increased to fifty-four. The point that needs to be paid close attention to is the minimal number of countries that have ratified it, which is too broad and complex in the field of policy. Moreover, the implementation of the principles in international migration instruments does not only require commitment, but also political will as well as increased capacity and resources (Koser 2010, p. 309). The latest initiative for dialogue on international migration issues is the Global Forum on Migration and Development (GFMD) which was held three times in Brussels in 2007, Manila in 2008, and Athens in the following year. GFMD brings together all member states of the United Nations and focuses specifically on the interrelationships of migration and country development. It should be noted that this dialogue, although a government-led process, is informal, non-binding and voluntary. GFMD was founded on similar initiatives that had existed before, such as the UN Population and Development Conference in 1994 in Cairo, the Global Commission on International Migration (GCIM), and the General Assembly in 2006 which held the High-Level Dialogue on International Migration and Development (Newland 2019, p. 11).

IV. CONCLUSION

Human civilization is inseparable from conflict, even with the dynamics of today's society which is complex because it is colored by various interests or as a result of natural processes. This complexity includes a series of civil wars, epidemics, political uprisings, and various causes of internal security instability that cause residents of a region to migrate, seeking shelter with a more secure life. The existence of migration is considered a threat to national security because of the risk of eroding national identity or associating migrants with criminal acts and even terrorism. From a humanitarian point of view, the arrival of migrants needs to be addressed as an instinctive human effort to become a shelter. This difference in views then becomes a dilemma for the state, so that in order to mediate this dilemma, the state can take steps to conditionally accept immigrants under national laws or agreements between countries. Quoting OECD data, up to 2008 there have been 176 bilateral agreements that regulate cross-border migration. This agreement can be an effective method for managing migrant traffic, tracking the position and status of migrants, and placing migrants in productive sectors in destination countries. This is done to ensure migrants get a decent living in their new country. However, the author observes that agreements, conventions and various regulations related to migration still seem normative. Reflecting on the French case study and its strict immigration policy which even discriminates against immigrants, it shows that a global governance in preventing the causes of migration needs to be intensified. Most countries view migration as a threat to sovereignty, identity, as well as reduced employment opportunities for local residents. A skewed view of migration cannot be eliminated drastically, it requires the commitment of every country to minimize the causes of illegal migration, especially countries that are prone to conflict. Even though the perceptions of countries regarding the threat of migrants to their countries are sometimes not proven to be real due to the adjustment of migrants to situations in destination countries, this stereotype continues to develop as the distance between developing and developed countries widens, given that the majority of migrants come from developing countries.

REFERENCE

- [1] Bourbeau, Phillipe, 2011. *The Securitization of Migration: A Study of Movement and Order*. United Kingdom: Routledge.

- [2] Friedman, Jonathan dan Shalina Randeria, 2004. *Worlds on the Move: Globalization, Migration and Cultural Security*. United Kingdom: I.B Tauris.
- [3] Graham, David T. dan Nana K. Poku, 2000. *Migration, Globalization and Human Security*. United Kingdom: Routledge.
- [4] Huysmans, Jef, 2006. *The Politics of Insecurity: Fear, Migration, and Asylum in the EU*. United Kingdom: Routledge.
- [5] Koser, Khalid, 2020. "Introduction: International Migration and Global Governance". *Global Governance*, 16, pp. 301-315.
- [6] Newland, Kathleen, 2019. "Global Governance of International Migration 2.0". *Towards a Global Compact for Migration: A Development Perspective*, Issue 8.
- [7] Njaim, Maria, 2018. "Migration Dilemma: Security versus Humanitarian Nexus". *Granite Journal: a Postgraduate Interdisciplinary Journal*, 2, pp. 25-32.
- [8] O'Neill, P.E., 2006. "The European Union and Migration: Security versus Identity?". *Defence Studies*, 6 (3), pp. 322-350.
- [9] OECD, 2019. "OECD Databases on Migration" [online]. tersedia dalam <https://www.oecd.org/migration/mig/oecdmigrationdatabases.htm> [10 November 2019].