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Introduction

International migration has a long history, encompassing large movements from Europe to North America in the late nineteenth and early twentieth centuries, large migrations around the Indian Ocean and South Pacific, multiple displacements after the Second World War, and emigration from former colonies (McKeown 2008, chap. 2). Migrants are fleeing from war, persecution, poverty and/or environmental disasters, and to join loved ones or to seek new opportunities (De Haas, Castles, and Miller 2020). Today, migration is a worldwide phenomenon as virtually all nation states are involved in migration as sending, transit and/or receiving states (IOM 2008). Both the scope of international migration and its power to reshape the political agenda of a range of old and new actors are relatively new phenomena. In this volume we aim to analyse such recent developments in international migration, examining how state- and non-state actors maintain, contest or even alter established architectures and assemblages, followed by a presentation of the articles included in the volume. In conclusion, we reflect on the ways in which the COVID-19 pandemic may affect these dynamics.

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autonomy (Rhodes 1997). Scholars have, however, debated whether non-state actors have *de facto* gained influence in the policymaking process, or whether the responsibility of states has merely been reconstituted (e.g., Peck and Tickell 2002).

The contributions included in this volume examine the architectures of global migration governance, defined as ‘the overarching system of public and private institutions that are valid or active in a given issue area of world politics’, comprising ‘organisations, regimes, and other forms of principles, norms, regulations, and decision-making procedures’ (Biermann et al. 2009, 15). This architecture is necessarily fragmented, as it consists of international institutions and actors with different agendas and mandates. This fragmentation is not necessarily negative, as agreements between fewer actors can contribute to faster negotiations and implementation, more far-reaching agreements and innovation (Biermann et al. 2009).

In tandem with rising numbers in particular of refugees and irregular migrants, architectures of global migration governance are changing or even collapsing. A dramatic example is the temporary breakdown of the Dublin III Regulation of the European Union in fall 2015, when Greece and Italy were no longer able or willing to handle the magnitude of asylum claims (Lavenex 2018). While Hungary was closing its borders, Austria, Germany and Sweden kept their borders open to large numbers of asylum seekers. The Dublin Regulation did not have an effective mechanism in place for a fair and efficient system of burden sharing in the EU.

The breakdown of the Dublin III regulation, the rising number of migrant deaths on the US–Mexican border, and the persecution of Rohingyas and other minorities have contributed to a crisis discourse in the affected countries and regions (Afzal 2016; Jeandesboz and Pallister-Wilkins 2016). This discourse seems to suggest that migrant-receiving societies are faced with ‘too many’ migrants or with migrants from allegedly incompatible cultures, and often seems to lay the blame for the problems of incorporation exclusively on the migrants themselves (Heins and Unrau 2020). However, the term ‘crisis’ can also be used to describe the failure of asylum governance and the suffering of migrants (Hess and Kasparek 2017; Gozdziak and Main 2020).

The significant increase in the number of migrant deaths has added a new sense of urgency to the reform of current migration regimes. According to the International Organization for Migration (IOM)’s Missing Migrants Project, 7927 migrants worldwide died or went missing in 2016, a 25% increase compared to 2015 (6281 deaths). The majority of recorded deaths in 2016 occurred in the Mediterranean Sea, followed by North Africa and the US–Mexico border (IOM 2018, 26). In addition, a large number of unaccompanied migrant children crossed international borders. In 2015, a record number of 98,400 minors submitted asylum applications worldwide, decreasing to approximately 75,000 in 2016 (IOM 2018, 33); this number was again on the increase in 2019 at the Mexico–US border (Chishti, Pierce et al. 2020). These children are particularly vulnerable and in need of international protection. Media attention to these issues has renewed calls for humanitarian intervention, mitigated by states’ continued concern for national security.

This collection on *New Actors and Contested Architectures in Global Migration Governance* analyses the actors involved in international and transnational migration regulations in various regions, the kinds of (or lack of) cooperation among these actors, and their use of existing systems of governance or the possible creation of new forms of governance, sometimes resulting in new migration assemblages. The volume makes three contributions to the existing literature. First, it contributes to understanding the complexities of migration governance from the local level to the global, which are difficult to separate or disentangle.
Second, it discusses recent developments in global migration governance, including the Global Compact for Safe, Orderly and Regular Migration. Third, it provides insights into whether migration can only be ‘managed’ by states, as an increasing number of non-state actors are shaping international migration flows.

The contributors to this collection engage with the overarching research question of how international migration governance has changed, identify factors that have contributed to this change, and theoretically frame this change in literature strands about international migration governance, institutional architectures and/or actors in the governance of international migration. They also reflect on the extent to which these actors, architectures and assemblages are nested within pre-existing policy frameworks and legacies, accounting for patterns of continuity and change in international migration governance. They explore these issues through the following overarching research questions: What has changed in migration governance since the early 1990s? In what ways have these changes unfolded? More specifically, we asked the contributors to address one or more of the questions below:

- How do actors create a common understanding of ways to ‘manage’ migration? At the same time, in what ways and under what circumstances do they diverge in their understandings of migration management?
- How are migration governance assemblages being perpetuated, destabilised or reconstituted?
- Who are the new actors in migration governance, and what are their roles?
- How do formal and informal actors interact and deliberate on the creation of new architectures and assemblages of migration governance?

To address the Northern bias in migration studies, this collection includes voices from the South and several articles on mobilities within the Global South. While acknowledging the problematic terminology of ‘Global North’ and ‘Global South’, we concur with Munck (2008) that uneven global development and resulting regional inequalities warrant the continued use of these concepts. Thus, ‘[t]he North–South divide continues as an overarching feature of the global system and is the inescapable context within which international migration today needs to be set’ (Munck 2008, 1228). This collection builds on and extends the research agenda set by Munck (2008) on globalisation, governance and migration, examining the actors and (contested) architectures and assemblages in global migration governance.

**Global migration governance?**

Despite a long history of fragmented governance of migration, the current institutional architecture is characterised by a rise in international cooperation on migration. Most state actors have realised that they cannot ‘solve’ migration issues on their own, requiring international cooperation to find common solutions. Hansen, Koehler, and Money (2011, 1–2) attribute states’ increased willingness to engage in cooperation on international migration to three key factors: First, the large number of migrants worldwide and the global extent of migration have pushed the necessity of international cooperation to the fore. While the percentage of international migrants remains relatively stable around 3%, their absolute number is sizeable and growing (Hansen, Koehler, and Money 2011). Second, receiving states are concerned about migrants’ irregular entry or overstay of visas, while sending states...
try to address the loss of highly skilled workers. Third, migration has become a key political issue, fuelled by anti-immigrant sentiments in receiving states. It is also of political concern to countries in the Global South that rely heavily on remittances. These three factors combined have contributed to a broad array of cooperation forms, ranging from unilateral solutions to bilateral, regional and multilateral cooperation (Hansen, Koehler, and Money 2011).

Since the 1990s, migration partnerships between countries of origin, transit and destination have increased significantly (Kunz 2013). These partnerships are billed as a win–win situation for the states involved, or even a ‘triple win’ – for migrants as well. The idea behind these partnerships is that migration can be effectively managed through cooperation that builds on ‘common interests, mutual benefits and shared responsibility for migration management’ (Kunz 2013, 1233). At the same time, international organisations such as the IOM and the United Nations High Commissioner for Refugees (UNHCR) have gained influence in migration management at the global scale.

Regional cooperation is formalised in regional consultative processes (RCPs). Started in Europe in 1985, these fora bring together states to discuss migration issues that are pertinent to their region. The RCPs provide an opportunity to exchange ideas, share best practices and establish trust between participating states (Kunz, Lavenex, and Panizzon 2011), but powerful states dominate the agenda-setting and framing of issues (Newland 2010). They also create a platform for outsourcing responsibilities to different states and even for depoliticising the migration issue (Pellerin 1999). Finally, the RCPs enable states to negotiate informal agreements that are more flexible than the slow and complex decision-making process of multilateral institutions (Woods et al. 2013, 1).

The global architecture of migration governance has been marked by fragmentation, a lack of cooperation and the absence of a global institutional framework that governs all categories of international migration. While global institutions govern climate change, finance, trade, security and infectious diseases, in contrast, different institutions govern forced migrants, labour migrants, family reunification migrants, students, temporary migrants and travellers (Betts 2011a). Multilateral institutions have been established to regulate the former issue areas, mostly within the UN system. International migration, however, has lacked a coherent regulatory framework and institutionalised cooperation, primarily because of states’ concerns about national sovereignty (Betts 2011b; Panizzon and van Riemsetdijk 2019).

This fragmentation can be attributed to several causes. First, states have diverging interests that stand in the way of a coherent global migration regime. Southern states have pushed for a greater multilateral framework with binding norms, prioritising labour market access and protection of their citizens abroad. Northern states want to retain sovereign authority over their borders and prefer unilateral or bilateral agreements to avoid norm-setting in international migration governance (Woods et al. 2013). Second, a lack of consensus regarding migration-related matters also exists within nation states, with opposing views between political parties and government factions. These issues make it difficult to rally support around a global migration regime.

The 2015 refugee ‘crisis’ marked a turning point for global cooperation on migration. The UN called a high-level summit on Migrants and Refugees in New York City in September 2016, which paved the way for the 2016 New York Declaration and the ensuing Global Compact for Safe, Orderly and Regular Migration (GCM) and the Global Compact for Refugees (GCR). The GCM is the first migration agreement to cover all aspects of migration, including
humanitarian, developmental and human rights-related factors. While the majority of UN member states adopted the GCM, several states declined to do so. The United States pulled out of the negotiation stage, stating that the compact was not compatible with its national migration policies. Leading up to the intergovernmental conference in Marrakech, Morocco, in December 2018, Hungary, Australia, Austria, Poland, the Czech Republic, Bulgaria, Estonia and the Dominican Republic refused to adopt the agreement. These rejections were fuelled by concerns of right-wing parties and populist governments regarding the undermining of state sovereignty, the blurring of regular and irregular migration, and a fear that the GCM would become legally binding over time.

While the global compacts are a considerable achievement in global cooperation, several governance challenges remain. The GCM is a ‘roadmap’ for migration governance but not legally binding. And even under these conditions, several states declined to sign the GCM in Marrakech. Thus, national sovereignty still trumps states’ willingness to develop a global architecture for migration governance.

Migration management

International migration management has been the dominant regulatory paradigm since the 1990s, framing migration as a governance ‘problem’ to be ‘solved’ by powerful actors. Migration management is not new, but its tools are now used for new forms of surveillance and the creation of a global discourse on international migration (Geiger and Pécoud 2012). Migration management regulations aim to match migrants with a receiving society’s labour market needs and integration capacity, while irregular migration is criminalised (IOM 2018; Schierup, Ålund, and Likić-Brborić 2015).

Geiger and Pécoud (2012) have identified three trends in international migration management. First, it is mobilised by intergovernmental organisations that have placed migration on the international agenda. These organisations are marked by heterogeneity and fragmentation, which states can exploit to best fit their interests. Second, it refers to practices such as counter-trafficking efforts, training of civil servants in border control, and assistance with the development of migration policies to better ‘manage’ migration. These capacity-building efforts can be used by sending states and the EU to transfer norms and ensure policy compliance by sending and transit states. Third, migration management relies on discourses regarding the meanings of migration and the best ways to ‘manage’ migration to maximise its impact. These discourses create categories of thought and action, such as the ‘triple-win’ objective that ignores the diverging interests of actors, power asymmetries and possible conflicts between actors (Geiger and Pécoud 2012, 11). The authors note that it is questionable whether migration can be ‘managed’ as migrants are rather unpredictable agents.

International migrants have been framed as a security threat, prompting states to ramp up their border control to keep out ‘unwanted’ migrants. Securitisation, i.e. the framing of migration as a security threat, emerged in the 1990s (Bourbeau 2011), and security has now ‘become the main modality of governance … the dominant prism through which migration is viewed in the West’ (Munck 2008, 1231). The terror attacks in the United States (2001), Paris (2015), Brussels (2016) and Barcelona (2017), to name a few, have legitimised large investments in border control infrastructure and surveillance tools. Advanced technologies such as retina scanning, digital fingerprinting and international data sharing raise ethical questions regarding data protection and human rights (Thomas 2006). In addition, the
outsourcing of security tasks to private companies and information technology specialists raises concerns about a lack of oversight and responsibility (Glouftsios and Scheel 2020).

The ‘migration industry’, consisting primarily of actors that gain financially from the international movement of people, plays a central and growing role in the facilitation and control of international migration (Betts 2013). These actors include recruitment agencies, lawyers, technology providers, security companies, transportation companies, non-governmental organisations (NGOs), humanitarian and migrant organisations, and individuals and networks that engage in illegal activities (Sørensen and Gammeltoft-Hansen 2013). While the involvement of these actors is not new, their activities have increased considerably in scope and size (IOM 2018). Sørensen and Gammeltoft-Hansen (2013) note that states are complicit in the migration industry as they ‘outsource’ significant responsibilities such as border controls, the operation of asylum centres, the verification of travel documents by airlines, and forced return. The authors argue that the outsourcing and privatisation of these tasks could have fundamental implications for migration management, as states might lose oversight and democratic control to private companies (Sørensen and Gammeltoft-Hansen 2013, 13).

States have also outsourced their responsibility for asylum claims. While not new, this practice is increasingly common, fuelled by a fear of the unknown Other and concerns about national security (Hyndman and Mountz 2008). Using Australia and the European Union as examples, Hyndman and Mountz (2008) have identified two related externalisation strategies. First, Australia and the EU try to prevent migrants from entering their territory to file asylum claims. Australia has made it mandatory to detain anyone who enters its territory without a visa. Asylum seekers who arrive by boat are placed in remote detention centres in the Australian outback or on the islands of Manus, Papua New Guinea and Nauru (Hyndman and Mountz 2008). The EU established Frontex, now the European Border and Coast Guard Agency, in 2005, and it has increased its budget for border control. Second, these actors cooperate with countries of origin and transit, offering development aid in return for readmission agreements and the deterrence of smugglers (Hyndman and Mountz 2008; Bøås 2020; for an overview of externalisation of asylum claims in the US, see Frellick, Kysel, and Podkul 2016). These externalisation measures violate the rights of migrants to claim asylum. In addition, they are likely to increase the burden on states in the Global South, which house the largest number of asylum seekers worldwide (Hyndman and Mountz 2008).

The issuance of humanitarian visas is another strategy to deter migrants from seeking asylum, as Marchand and Merlin-Escorza et al. discuss in this volume. Under pressure from the US to deter migrants from entering its territory to seek asylum, the Mexican government has granted one-year, renewable humanitarian visas to migrants who were crossing its southern border. The number of visas granted increased significantly in November 2018 when the second migrant ‘caravan’ made its way through Mexico. Most visa applicants came from Honduras, Guatemala and El Salvador, many of them families with children. Visa holders are allowed to reside and travel freely within Mexico, and initially they were granted the right to work. After a new caravan appeared in January 2019, work permits were only granted for Mexico’s most southern states that pay low wages (PBS News Hour 2019).

A recent example of externalisation is the Migrant Protection Protocols, better known as the ‘remain in Mexico’ policy, implemented by the Trump administration in January 2019. The US border authorities return asylum seekers from Guatemala, El Salvador and Honduras to border towns in Mexico to await a court date (Gonzalez 2019). The policy has been
criticised for endangering people who are returned to border towns in Mexico (Merchant 2019). These externalisation practices transfer the responsibility for border control and asylum claims from the destination state to neighbouring states, again blurring responsibility and accountability in migration governance.

As shown in the examples above, it is unclear how the migration ‘problems’ should be solved or by whom, and who is responsible for migration management and its outcomes. Scholars have examined whether migration management results in the retrenchment of the state or, rather, an externalisation of responsibility. As codified in international law, states have the sovereign right to decide on the entry, stay and return of migrants and the mobility of people within their territories. However, with the emergence of transnational and global actors, as well as sub-national actors, the state’s central role in migration governance is changing. At the same time, states outsource responsibilities to other states and private and voluntary actors. Perhaps these questions concern more the appearance of control, as state governments are trying to restore faith in their ability to control access to their national borders. In these – and other – instances of externalisation, non-state actors take on active roles in the governance of mobility.

**Advocacy for migrants**

As national governments are implementing restrictive migration policies and limiting the rights of migrants, local actors have found ways to assist vulnerable migrants. Sanctuary cities in the US and Canada aim to protect undocumented migrants, while their counterparts in the UK seek to welcome asylum seekers and refugees (Bauder 2017). These local actors can be considered a threat to national sovereignty as they challenge national immigration laws and policies (Bauder 2017). By providing services to undocumented migrants, cities fill a governance gap that national actors are loathe to take on. Another way in which cities are supporting migrants is through establishing transnational ties with migrant organisations abroad or developing public policies to receive and help integrate return migrants, as in the case of Mexico (Marchand and Ortega Ramirez 2019).

Low-skilled and undocumented migrants are disproportionately represented in precarious jobs, satisfying capitalism’s need for cheap and flexible labour (Schierup, Ålund, and Likić-Brborić 2015). These migrants often have limited access to unionisation and pathways to citizenship. Receiving states promote temporary and circular migration regimes, enabling employers to benefit from cheap, flexible labour while appeasing xenophobic and anti-immigrant groups. Social justice movements bring attention to the precarious situation of migrants, contesting neoliberal globalisation and emphasising migrants’ human and citizenship rights. They face, however, a democratic deficit in terms of participation in decision-making (Schierup, Ålund, and Likić-Brborić 2015), and some scholars question whether civil society can oppose neoliberal policies and regional trade agreements made by powerful actors such as the World Bank and the International Monetary Fund (Likić-Brborić 2018).

Others see an opportunity for civil society and other non-state actors to have ‘a seat at the table’ and help shape migration policy agendas. Rother (2019), for example, sees a role for the Global Forum on Migration and Development (GFMD) for state socialisation. He attributes three successes to this informal and non-legally binding annual meeting between governments, global institutions, civil society and the private sector: It frames migration as
a global issue, it provides a venue for interaction with migrant civil society and it helps build trust between the various participants. The forum’s impact is limited, however, as it only convenes once a year (Rother 2019).

Refugee-led community organisations also engage in advocacy to improve the situation of asylum seekers, refugees and undocumented migrants. Most of this advocacy work happens at the local level, as organisations tend to lack funding and access to national and international arenas of decision-making (Pincock, Betts, and Easton-Calabria 2020). They may also be discouraged by the national government from participating in rights-based advocacy (Sahin Mencutek 2020). Still, these agents can make a difference in the communities in which they operate, and make their voices heard in the media.

Introducing the collection

The collection is organised in four sections, each discussing a key theme related to new actors and contested architectures in international migration governance. It covers various regional migration systems and topics and themes, focussing in particular on the Europe, Middle East and sub-Saharan Africa migration system, the Asia-Pacific Region and North America. The contributors not only identify how (regional) institutional architectures are articulated in international governance, but also how and which actors are involved in these.

The first section covers the role of international organisations in governance, examining the GCM (Pécoud); contestations between the UNHCR and the IOM, and these organisations’ roles in the Asia-Pacific region (Moretti); and the EU’s externalisation of border controls (Bøås).

In a study of international migration narratives in the GCM, Pécoud (2020, this issue) argues that it is a depoliticised document that avoids political disagreements over the governance of global migration. The article outlines the ways in which the GCM seeks to reach a consensus over a highly politicised issue, as well as the contradictions in the document. Pécoud identifies three new issue areas in global migration governance in the GCM, namely saving lives, border management and climate-related issues.

Focussing on the Asia-Pacific region, Moretti (2020, this issue) examines the complexities of providing international protection to persons who are not recognised as refugees. In a study of the roles of the UNHCR and the IOM, Moretti identifies a governance gap in areas where refugee protection and migration management overlap. The author argues that the lack of international protection can be attributed to unclearly defined responsibilities and accountability in the two organisations.

Finally, Boås (2020, this issue) addresses the connections between border controls, migrant mobility and migration management from yet another angle. In his article, he analyses how the EU is outsourcing border controls to Sahel countries, in particular Niger. He argues that the EU’s policy of including these countries in its migration management may have unintended consequences on the ground. In particular, delicate power constellations in Niger and around the desert town and migrant transit hub of Agadez may be affected in their resilience to deal with political and social crises.

In the second section, contributors study the roles of transnational ties and diasporas in the global governance of migration. These include transnational activism for migrant and labour rights (Gabriel and Macdonald), and ‘controlling’ guest workers in Malaysia (Anderson).

Gabriel and Macdonald (2020, this issue) examine how the North American Freetrade Agreement’s (NAFTA) Labour Side Agreement provided a platform for addressing migrants’
labour rights. While the agreement was not intended for addressing migrants’ rights, many of the cases that were brought forward did precisely this. Moreover, these cases engendered closer transnational collaboration of migrant and labour activists in the three countries. In terms of governance, the NAFTA Labour Side Agreement provided a governance structure around which transnational non-state actors could engage in new forms and strategies of collaboration. Moreover, using the NAFTA governance structure for addressing migrants’ labour rights involves a certain fungibility between governance issue areas, from trade to migration.

Anderson’s article (2020, this issue) examines practices of migration control in Malaysia, a country that heavily relies on foreign labour. It studies the tools used by the government to reduce its population of undocumented foreign workers. The article shows that governance from above is often ineffective, and that authoritarian governments are in no better position than liberal ones when it comes to ‘controlling’ migration. One of the reasons is that even authoritarian governments have to deal with existing vested interests, including new actors such as private migration brokers.

Border issues and the migration industry are covered in the third section. It examines the contested meanings of sheltering migrants (Merlín-Escorza et al.), the digitisation of migration governance (Glouftsios and Scheel), and the ‘biopolitical struggles’ among different actors over the governance of migrants in transit (Marchand).

As Merlín-Escorza, Davids, and Schapendonk (2020, this issue) show, migrant shelters and the sheltering of migrants are important dimensions of the migration industry. They argue that the distinctions between the three dimensions of the migration industry – facilitating, rescuing and controlling – are often blurred and often overlap. Using the case of migrant shelters in Mexico, they examine how different migration assemblages emerge around the sheltering of Central American migrants, with shelters often partaking in the management and controlling of migrants, while at the same time challenging the rigidity of migration architectures.

Using a case study of the Visa Information System (VIS) in the EU, Glouftsios and Scheel (2020, this issue) study the digitisation of border control and migration management. The VIS enables actors engaged in border control to exchange visa-related information between central European and national systems. The system also enables its users to monitor and trace mobile populations, and restricts migrants’ ability to contest and subvert these control practices. The authors call attention to ‘heterogeneous engineering’, examining the design and development of information systems.

In her article, Marchand (2020, this issue) examines the migrant caravans that moved from Central America to the Mexico–US border in 2018 and 2019. Mexico’s authorities tried to ‘manage’ these large movements of people in its territory by resorting to such biopolitical practices as issuing temporary humanitarian visas and allowing migrants to work in the southern states of the country. In particular, local state and municipal authorities relied on migrant shelters for support with the logistics of dealing with thousands of migrants moving across the country. The author argues that, in contrast, non-religious migrant activist networks engaged in biopolitical practices of their own, challenging migration management policies of states in the region.

The fourth section examines the roles of states and non-state actors in migration governance, including the return of Syrian refugees from Lebanon (Fakhoury); refugee-led community organisations in Turkey (Sahin Mencutek); and the criminalisation of migrant rescue in the Sahara, in the Mediterranean and across Europe (Ben-Arieh and Heins).
In a study of the repatriation of Syrian refugees from Lebanon, Fakhoury (2020, this issue) examines the highly informal and fragmented authority structures that are often extralegal and private. The Shia Islamist political party and militant group Hezbollah, various Sunni groupings and the Maronite Christian Church are all involved in disputes over repatriation. These disagreements have curbed the ability of international actors to demand accountability from the state. Moreover, the Lebanese case mirrors wider trends of fractious and restrictive practices over repatriation in other parts of the Middle East.

Sahin Mencutek (2020, this issue) studies the civic activism of Syrian formal and informal refugee-led community organisations (RCOs) in Turkey. The majority of organisations provide humanitarian assistance in invited spaces that are created by state agencies and international actors. It is more difficult for organisations to create invented spaces to advocate for refugee rights, facing restrictions posed by refugees’ legal status and the Turkish government’s opposition to rights-based advocacy. Sahin Mencutek concludes that the existing political and governance structure in Turkey poses considerable obstacles to the agency of RCOs.

Ben-Arieh and Heins (2020, this issue) examine the criminalisation of migrant smuggling as a tool of European migration governance. They argue that narratives of legality are powerful rhetorical practices of persuasion without which EU migration containment politics would not work. This fusion of law, narrative and policy results in a redefinition of the legality of actors and actions along the migration routes across the Sahara, the Mediterranean and Europe. This situation activates a range of new actors, from people smugglers and anti-smuggling police forces to pro-migrant activists and NGOs engaged in search-and-rescue missions.

**The future of global migration governance: some final reflections**

This introduction has examined various challenges to migration governance at the local, national, international and global level that have contributed to unstable governance architectures. We have provided insights into the ways in which state and non-state actors are upholding, challenging, changing or even creating new architectures and assemblages. While most actors identified in this introduction are not ‘new’, they help shape migration governance at various levels of authority. We conclude this introduction by identifying three governance challenges and discussing the possible consequences of the COVID-19 pandemic for migration governance.

A lack of universal guidelines for return migration has created a governance void that particularly affects receiving states that have not ratified the 1951 Refugee Convention (see Fakhoury in this volume). In the ensuing governance gap, local actors arrange their own returns. The lack of oversight and absence of universal standards contributes to an ad hoc return system that produces differential outcomes, including migrants who are not returned to their countries of origin. In addition, governments have realised that these migration issues surpass their sovereignty, thus necessitating cooperation with other states and non-state actors. In other words, states outsource some of their tasks regarding border control and humanitarian assistance.

Another governance void is created by competition between organisations, which may hamper cooperation on migration-related issues. For example, aid organisations are competing to provide humanitarian and practical assistance to asylum seekers and refugees, exemplified by the different mandates and funding schemes of the UNHCR and IOM (see Moretti in this volume). Now that the IOM has become related to the UN it has a seat at the table, but it remains to be seen whether and how this may improve the governance of international migration (Bradley 2017).
There continues to be a lack of attention to the human rights of migrants. The GCM mentions refugee protection and the importance of safeguarding the rights of women and children, but thereby removes agency from these actors and those organisations that defend their rights (Pécoud in this volume). A governance gap in migrant rescue has prompted private and voluntary actors to take matters into their own hands, spurred by a humanitarian responsibility to save lives. The actions of these actors, however, have sometimes been criminalised (see Ben-Arieh and Heins in this volume). These cases are illustrated by the recent arrest of Carola Rackete, a German captain of a migrant rescue ship, and the trial of Scott Warren, who provided food, water, shelter and clothes to undocumented migrants in the Arizona desert. These and other court cases, dating back several decades, direct attention to the governance void in life-saving measures.

In the absence of a unified governance architecture, various private and voluntary actors have carved out a space of influence in migration governance. These actors include international organisations, NGOs, local governments, local organisations, lawyers, technology providers and private companies. While these actors are not new, their roles may become more pronounced and influential. We may see new assemblages of migration actors, as discussed by various contributors in this volume. The complex web of institutions and actors requires cooperation, but opposing goals and mandates may thwart these efforts (see Moretti in this volume).

A year after the signing of the GCM the COVID-19 pandemic broke out, which may have significant consequences for migration governance. Initial reactions of governments across the world were to close their borders, affecting the mobility of business travellers and tourists, as well as regular and irregular migrants. In some cases, populist nationalistic discourses have scapegoated migrants for the outbreak and spreading of the coronavirus, and Asian immigrants in some Western countries have been physically or verbally attacked (Pianigiani and Bubola 2020).

Early reports indicate that immigrants, being members of minority communities in host societies, tend to be in more vulnerable positions with respect to the COVID-19 pandemic. Reasons for this situation include: poor housing conditions or living in multi-generational households, so social distancing is problematic; poor alimentation negatively affecting the immune system; being forced to work outside the home, as many migrants are not eligible for government emergency support and cannot resort to teleworking; having to work in labour sites and conditions where the virus can easily spread, such as meatpacking plants, farms, supermarkets, and care facilities; having to rely on public transportation to get to work; and being afraid to seek medical attention after contracting the virus, for fear of being deported (in the case of irregular migrants) (Chishti, Bolter et al. 2020; Chishti and Pierce 2020; World Bank 2020).

In addition, several governments have labelled the work that many immigrants perform as essential. This situation has led to a curious contradiction in the US where the authorities have identified much of the work done by immigrants as essential, but at the same time have not required employers to take sufficient measures to protect these workers. A case in point are the meatpacking plants and the agricultural sector. In fact, the US government temporarily suspended the issuance of all kinds of visas, including for the purposes of family reunification and tourism as well as work and study. The only exception is the H-2A visa for farmworkers. This led critics to ask whether these are in fact essential or expendable workers? (Coleman 2020).

Refugee camps and migration detention centres are another example of migrants and refugees being disproportionately vulnerable to contracting the virus. Living in cramped quarters with many other people and often having to deal with sub-standard facilities for water, bathrooms and showers, for example, as is the case for many refugee camps, create conditions that propitiate the spread of the virus.
At this point it is too early to know the middle- and long-term effects of the COVID-19 pandemic. A few months into the crisis, it appears that the most pressing governance issues will be migrants’ mobility rights and labour rights, housing conditions, access to health care and working conditions, as well as populist or nationalistic backlashes, and the situation in refugee camps and detention centres (World Bank 2020).

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Notes

1. See, for example, the debate at “The Coronavirus and Mobility Forum” of Oxford University’s COMPAS website: https://www.compas.ox.ac.uk/project/the-coronavirus-and-mobility-forum/
2. In 2017, the international migrant population totaled an estimated 258 million people, encompassing 3.4% of the world population (United Nations Population Division 2017). Migration flows may occur quite suddenly in one place or region, as in the case of Syrian refugees, and create challenges for receiving states.
Bibliography


