

Migration Governance in a Multipolar World: How Emerging Powers Challenge Western-Designed Institutional Regimes

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ABSTRACT

The global governance architecture for international migration has historically reflected Western institutional preferences, enshrined through the 1951 Refugee Convention, UNHCR's mandate, and recent Global Compacts prioritising developed nation interests whilst preserving sovereign border control. Yet as geopolitical power becomes increasingly multipolar, emerging economies (particularly the BRICS coalition) contest these frameworks, arguing they inadequately represent developing country interests and concentrate refugee and migrant populations in poorer nations whilst wealthier states maintain restrictive admission policies. This article interrogates whether emerging power contestation generates genuine governance alternatives or merely reproduces exclusionary logics under different institutional wrappings. The central argument contends that whilst emerging powers have successfully challenged Western institutional frameworks' legitimacy, they have not developed comprehensive counter-regimes addressing core tensions between state sovereignty, migrant protection, and responsibility-sharing. The analysis reveals that Western institutional design has undergone systematic downgrading from binding to non-binding frameworks, permitting states to appear internationally cooperative whilst maintaining complete discretion over immigration policies. The International Organisation for Migration's consolidation as global lead agency represents victory for labour mobility paradigms over worker protection frameworks. Developing countries hosting disproportionate refugee populations (Turkey, Jordan, Colombia, Uganda) contest this architecture, recognising that non-binding governance enables wealthy states to avoid burden-sharing obligations. Examining BRICS, ASEAN, and Cartagena Declaration alternatives, the article demonstrates that emerging power initiatives similarly operate within structural constraints producing convergence around non-binding governance across all geopolitical blocs. Four fundamental contradictions remain unresolved: sovereignty versus protection obligations, burden distribution versus resource constraints, labour mobility expansion versus worker protection standards, and state rights versus migrant rights. The multipolar moment thus represents institutional pluralism within similar structural constraints rather than governance renewal. Meaningful transformation requires addressing political contradictions that no purely institutional reform can resolve, demanding political movements prioritising migrant protection over sovereign border control rather than merely rearranging institutional frameworks.

KEYWORDS: migration governance; BRICS; non-binding frameworks; emerging powers institutional pluralism; responsibility-sharing;

INTRODUCTION

The global governance regime for international migration has long reflected Western institutional preferences, with the 1951 Refugee Convention, UNHCR's mandate, and recent Global Compacts on Migration and Refugees prioritising developed nation interests in managing cross-border mobility whilst preserving sovereign border control. Yet as geopolitical power becomes increasingly multipolar, emerging economies, particularly the BRICS coalition, contest these frameworks, arguing they inadequately represent developing country interests and concentrate refugee and migrant populations in poorer nations whilst wealthier states maintain restrictive admission policies. This article interrogates whether emerging power contestation generates genuine governance alternatives or reproduces exclusionary logics under different institutional wrappings. Existing literature celebrates BRICS institutional development (New Development Bank, BRICS+ expansion, South-South cooperation frameworks) as promising alternatives to Western-dominated institutions. Yet no comprehensive analysis has examined whether these alternatives genuinely address migration governance's core tensions or merely replicate existing logics under alternative institutional languages. This article argues that whilst emerging powers have successfully challenged Western institutional frameworks' legitimacy and symbolic dominance, they have not developed comprehensive counter-regimes addressing core tensions between state sovereignty, migrant protection, and responsibility-sharing. More significantly, the paper demonstrates that alternative frameworks converge around similar non-binding, sovereignty-preserving logics as Western frameworks, suggesting that multipolarity reflects institutional pluralism within fundamentally similar structural constraints rather than genuine institutional innovation. The analysis interrogates four dimensions of multipolar migration governance transformation: the institutional crisis afflicting Western-designed regimes, developing country contestation mechanisms, BRICS and alternative institutional initiatives, and structural contradictions limiting institutional reform. The central contention is that convergence around non-binding frameworks across geopolitical blocs reflects rational state calculation rather than institutional innovation, suggesting that meaningful governance transformation requires addressing political contradictions which no purely institutional reform can resolve.

I. The Crisis of Western Institutional Design in Global Migration Governance

Western migration governance has undergone systematic institutional downgrading from binding to non-binding frameworks. The 1951 Refugee Convention established universal legal protections through binding obligations on signatory states; however, states persistently violated these commitments through creative legal interpretation and border interdiction. Beginning in the 2000s, the dominant modality shifted towards voluntary frameworks. The Global Forum on Migration and Development (2006) was followed by the 2018 Global Compact for Safe, Orderly and Regular Migration and Global Compact on Refugees, both explicitly non-binding instruments replacing binding treaty-making. This institutional downgrading was deliberate. States chose non-binding form to avoid legal discussion of normative obligations and circumvent domestic ratification requirements. As legal analysis explains, non-binding frameworks allow "states to avoid legal discussion of the Compact's normative value" whilst exhibiting apparent dedication to principles. Compliance depends entirely on political will, which has proved ephemeral. States continue implementing policies contradicting Compact commitments without facing accountability. The Global Compact on Refugees exemplifies this dynamic: developed states endorse it publicly whilst maintaining offshore processing, deterrence regimes, and external

borders explicitly contradicting humanitarian objectives. Non-binding frameworks serve important institutional functions beyond humanitarian objectives. They legitimise state sovereignty whilst obscuring its restrictive content. Through carefully calibrated language emphasising "state responsibility and sovereignty" alongside rights-based framing, compacts create political cover for restrictive policies. States receive international recognition for humanitarian commitment without binding enforcement consequences. The International Migration Review Forum, the GCM's primary accountability mechanism, meets only every four years with no binding enforcement provisions. The International Organisation for Migration's consolidation as "global lead agency" for migration merits particular attention. Before 2016, the IOM operated outside the UN system without formal human rights mandate, maintaining significant involvement in state immigration enforcement and deportation. When the IOM joined the UN system as designated global lead agency under the 2018 GCM, it brought this enforcement-oriented culture into UN migration governance. Literature document extensive concern about IOM's suitability, identifying risk of 'blue-washing' (using UN affiliation to project humanitarian appearance whilst pursuing interests diverging from migrant protection). Research on state compliance with IOM guidance demonstrates that despite non-binding frameworks, states maintain complete discretion; for example, Australia's offshore processing programme continues despite IOM recommendations against such practices, suggesting that IOM leadership lacks enforcement capacity even when recommendations exist. More fundamentally, IOM's ascendance sidelined the International Labour Organisation, which historically advocated binding labour protections through conventions and tripartite governance. The shift from ILO's tripartite model (involving workers, employers, and governments) to IOM's state-centric approach represents institutional regression in worker voice representation, prioritising labour market efficiency over worker agency. IOM's institutional ascendance represents victory for governance paradigms centred on labour mobility expansion over worker protections. Non-binding migration governance has been anchored within development policy frameworks, transforming migration from humanitarian or labour rights issue into development tool. The Global Compact for Migration explicitly frames migration's relationship to development, emphasising remittance flows and diaspora contributions to "development gains". This framing permits Northern states to justify restrictive migration policies by arguing migration itself represents development solution: remittances allegedly compensate origin countries for human capital loss, whilst recipient countries gain labour supply without bearing protection costs. This development framing disadvantages migrant workers particularly, as migration governance becomes framed through metrics of remittance flows and labour productivity rather than protection standards. For instance, the IOM's Migration Governance Index—used by 73 countries as primary governance assessment tool—measures success through remittance flows, labour market integration rates, and diaspora investment volumes; notably, the index includes no binding indicators for worker rights, labour protections, or migrant worker safety. Similarly, UNDP development reports increasingly present migration as development solution, measuring programme success through remittance growth rather than worker wage standards or working conditions. This metrics-driven governance ensures that policymakers optimise toward measurable development indicators (remittances) rather than protection standards that remain unmeasured in standard governance frameworks. Consequently, states receive positive governance assessments by increasing labour mobility through reducing protection standards, creating systematic incentive misalignment between governance evaluation and worker protection outcomes.

II. Developing Country Contestation and the Burden-Sharing Crisis

Approximately 86 per cent of the world's refugee population resides in developing regions, with four countries (Turkey, Jordan, Colombia, and Uganda) hosting disproportionate shares. These frontline states face institutional capacity constraints, economic pressures, and fiscal limitations. Rendering refugee protection legally mandatory exacerbates their crisis. Yet they recognise voluntary frameworks enable wealthy states to avoid responsibility. Developing country critiques identify three persistent complaints. First, industrialised countries restrict asylum through visa requirements and carrier sanctions, forcing developing countries to absorb flows willingly or unwillingly. Second, humanitarian assistance remains politicised, privileging high-profile crises over chronic situations in Africa. Third, developed countries insist frontline states cannot be "primarily responsible for refugees on proximity basis alone", yet the regime's design precisely embeds this geographical logic. The 1951 Convention places no obligations on distant states to share burdens with proximate ones. The Global Compact on Refugees attempted addressing these grievances through "comprehensive responses" and "responsibility-sharing" language beyond the 1951 framework. Critical analysis reveals GCR "responsibility-sharing" remains aspirational without enforcement mechanisms. Developed states publicly support GCR whilst maintaining deterrence policies reducing asylum applications and limiting resettlement. Australia's offshore processing, the EU-Turkey deal, and the UK-Rwanda arrangement exemplify how wealthy states use GCR language rhetorically whilst implementing policies preventing asylum access. The GCR's non-binding character facilitates this contradiction. States appear committed through public endorsement whilst avoiding actual responsibility through policy. Beyond burden distribution, developing countries contest institutional arrangements excluding their voices from governance decisions. UNHCR leadership historically privileged Western perspectives (with Executive Committee decisions dominated by Western donor states despite majority refugee populations in Global South); IOM's decision-making structures reflect donor-country dominance whereby countries contributing financial resources (primarily Western nations) exercise disproportionate institutional influence. Global Compacts nominally addressed this representation gap through inclusive negotiation processes: the GCM negotiations (2016-2018) included 192 UN member states, civil society organisations, and private sector actors. However, substantive decision-making authority remained concentrated; the GCM Steering Group comprises only 23 states, predominantly developed nations, prioritising state leadership whilst limiting civil society and migrant participation. Notably, the refugee-led organisations (organisations led by persons with lived refugee experience) were granted observer status rather than decision-making participation, exemplifying how even ostensibly inclusive processes exclude those most affected by migration governance. This institutional design reflects underlying geopolitical asymmetries: developed states embraced compacts because provisions contained no binding obligations affecting sovereignty or resources, whilst developing countries, lacking resources to implement voluntary commitments, recognised compacts as insufficient for addressing crises. By the mid-2020s, the international migration regime faced legitimacy crisis amongst frontline states. Turkey hosting 3.6 million Syrians, Jordan hosting millions of Palestinians and Syrians, Uganda hosting millions of South Sudanese: these extraordinary hosting efforts received inadequate international support. The GCR's development-focused approach implicitly suggested frontline states could solve refugee crises through economic growth; this is contradicted by empirical evidence. World Bank studies document that refugee presence in Turkey has reduced per capita income growth by 0.3-0.4 percentage points annually, whilst

Jordan's fiscal burden from refugee hosting exceeds 6% of GDP (compared to 0.1% for developed host countries). Research from the Overseas Development Institute found that whilst remittances from some migrant populations generate development gains, refugee populations (unable to work legally in many contexts) generate net fiscal costs rather than development benefits. This contradicts GCR's implicit assumption that development cooperation can transform refugee hosting into economic opportunity; rather, evidence suggests refugee hosting imposes substantial costs that no amount of development assistance has successfully offset. This legitimacy crisis reflected deeper contradictions regarding state sovereignty and human rights obligations. Developed states insisted on sovereign right to exclude migrants whilst claiming humanitarian commitment, whilst developing states recognised international providing corresponding protections. law affirmed these sovereignty claims without.

III. BRICS AND ALTERNATIVE INSTITUTIONAL ARCHITECTURES: CONTESTING VERSUS REPRODUCING WESTERN REGIMES

BRICS has positioned itself explicitly as counter to Western-dominated institutions, establishing the New Development Bank as alternative to World Bank and IMF, advocating for increased developing country representation in global institutions, and promoting "South-South cooperation" as development philosophy distinct from North-South aid models. This positioning suggests BRICS could develop distinctive migration governance approaches emphasising national sovereignty, South-South cooperation, and development integration. Examining actual BRICS engagement reveals limited substantive institutional development. No BRICS-wide migration governance framework exists comparable to Global Compacts in scope. BRICS coalitions' 2023- 2025 declarations mention migration peripherally, emphasising development cooperation and labour rights within broader South-South frameworks rather than developing comprehensive migration governance alternatives. The ILO's engagement with BRICS on labour migration demonstrates this pattern. The 2014 'South-South Cooperation Project to Expand Employment Services and Enhance Labour Market Information' represented deliberate effort developing BRICS-centred labour governance alternatives; the project established regional employment service networks and labour market data platforms across BRICS nations. However, the initiative remained limited in scope (focusing on employment services rather than comprehensive labour governance) and failed to generate BRICS-wide consensus on binding labour migration principles. Notably, whilst the project operated (2014-2021), BRICS nations simultaneously pursued competing bilateral labour agreements with developed countries rather than prioritising BRICS- internal coordination. India's bilateral Labour Mobility Partnership with Japan (2023) exemplifies this pattern: India negotiated directly with individual developed economies rather than pursuing BRICS-coordinated framework, suggesting member states prioritise bilateral leverage over collective BRICS institutional development. Why has BRICS failed developing comprehensive alternatives despite resources and explicit mandate? Internally, BRICS members face tensions regarding labour mobility. China restricts labour outflows whilst pursuing labour imports through BRI frameworks; India promotes labour exports whilst restricting immigration; Brazil and South Africa engage in regional arrangements within MERCOSUR and SADC frameworks. More fundamentally, BRICS members have not concluded institutional alternatives are urgently necessary for their interests. Each operates bilateral labour arrangements with developed countries, maintains strategic relationships with existing institutions, and recognises that participation in global migration governance (even

through non-binding mechanisms) provides diplomatic platforms useful for advancing national interests.

ASEAN's non-interference model offers alternative governance emphasising state sovereignty rather than supranational governance. ASEAN's founding principle extends to migration, adopting consensus-based decision-making respecting state autonomy and explicitly rejecting binding regional frameworks. This approach emerges from developing country scepticism towards international intervention and reflects historical colonialism experiences. However, limitations prove substantial: non-binding frameworks enable state disregard for protection standards (exemplified by ASEAN member non-compliance regarding Rohingya); lack monitoring mechanisms for migrant rights; and rely on informal coordination collapsing amid geopolitical tensions. The Rohingya crisis illuminates these tensions. ASEAN members articulated humanitarian concern whilst maintaining formal non-interference, refusing binding of regional mechanisms addressing persecution. This reveals crucial limitation sovereignty-emphasising alternatives: they do not inherently protect migrant rights or displaced persons.

Latin America's Cartagena Declaration (1984) offers substantive regional alternative, expanding refugee definition beyond 1951 Convention to include persons fleeing violence, generalised conflict, and gross human rights violations. This consolidation recognises Central American displacement realities where most displaced persons fled violence rather than persecution as defined by Western conventions. However, despite normative strength, the Declaration remains regionally confined and non-binding. Latin American states implemented Cartagena principles inconsistently; the Venezuelan displacement crisis (2014-present, generating 6+ million displaced persons across the region) tested Cartagena principles' capacity and revealed that alternative regional frameworks lack enforcement mechanisms compelling state compliance when mass displacement tests state capacity. Specifically, whilst Colombia and Peru initially accepted displaced Venezuelans under Cartagena framework, both countries subsequently implemented restrictive immigration policies contradicting Declaration commitments; Colombia introduced entry requirements (health certificates, documentation) that effectively prevented vulnerable populations from accessing asylum, and Peru implemented deportation programmes inconsistent with Cartagena non-refoulement principles. This demonstrates that even when alternative frameworks exist and states initially endorse them, the absence of enforcement mechanisms (unlike binding treaties) permits states to effectively abandon commitments when displacement becomes burdensome. Moreover, Cartagena's expansion maintained underlying humanitarian framework (defining protection through persecution/violence categories) rather than developing alternative institutional logic that might challenge sovereignty-centred governance paradigms entirely.

IV. Structural Contradictions and the Limits of Institutional Reform

Interrogating BRICS, ASEAN, Cartagena, and alternative approaches reveals that emerging power contestation has challenged existing frameworks' legitimacy but has not generated fundamentally different resolutions to underlying contradictions. The core contradiction (between state sovereignty over borders and international protection obligations) remains unresolved in any major framework. By 'structural contradiction,' this analysis means tensions that cannot be resolved through institutional design because resolution would require abandoning core state interests or fundamental international law principles. Specifically: any framework that genuinely enforces international protection obligations requires constraining state sovereignty

(limiting border control discretion); yet the international system recognises state sovereignty as foundational principle that cannot be constrained without fundamentally restructuring international law. This is not merely a design problem (could institutional creativity resolve it?) but a structural conflict between two principles that international law simultaneously upholds as inviolable. Previous attempts to resolve this contradiction through rights-based language (affirming both sovereignty and protection) have failed because language cannot bridge incompatible substantive interests. Western regimes enshrine this contradiction through bifurcated logic: affirming state sovereignty whilst making humanitarian commitments non-binding. Alternative frameworks emphasising state sovereignty and non-interference make this contradiction more transparent. They prioritise sovereignty whilst offering minimal protection guarantees.

No existing institutional arrangement has resolved this fundamental tension because resolution would require either one of two paths: (1) sacrificing state sovereignty through binding agreements mandating refugee admission or burden-sharing, or (2) abandoning protection commitments and returning to explicitly sovereignty-centred frameworks. Neither option is politically viable in contemporary international politics. Western states fear binding frameworks would limit immigration control; developing states fear binding frameworks would create obligations exceeding capacity. Alternative regimes similarly avoid binding frameworks, instead emphasising discretion and state autonomy. This convergence around non-binding governance reflects rational state calculation across all regions: binding frameworks would create unwanted obligations whilst non-binding frameworks enable appearance of cooperation without substantive constraints. The second fundamental contradiction concerns burdens and resources. International law contains no mechanism obligating developed states to transfer resources to frontline states hosting displaced populations. The GCR's "responsibility-sharing" operates through pledging conferences where developed states make voluntary contributions, producing chronic underfunding. BRICS and alternative frameworks face identical constraints: no mechanism compels wealthy states to prioritise refugee protection over other development priorities. Frontline states recognise institutional reform cannot resolve underlying resource scarcity. Turkey hosting 3.6 million Syrian refugees exceeds institutional mechanisms' capacity to adequately support. The third contradiction concerns tension between labour protection and labour mobility expansion. The ILO historically advocated binding labour protections; the IOM emphasises labour mobility expansion with minimal binding standards. This tension cannot be resolved institutionally because it reflects genuine conflict between policy objectives grounded in distinct economic interests. States wanting labour inflows prefer IOM-style mobility emphasis over ILO-style protection emphasis because labour protections, minimum wage standards, health insurance provision, workplace safety regulations, raise employment costs and reduce labour market competitiveness. Receiving countries competing for migrant workers rationally reduce protection standards to increase labour market attractiveness; India's labour diplomacy with Japan, Taiwan, and Israel explicitly prioritises worker admission numbers over protection standards, accepting destination country labour regulations (often below Indian domestic standards) in exchange for quota guarantees. Chinese BRI labour agreements similarly emphasise mobility and infrastructure development over binding labour protections; the China-Ghana labour agreement (2022) explicitly exempts BRI-contracted workers from Ghanaian national labour law protections, creating dual legal systems where foreign workers receive fewer protections than Ghanaian workers. This structural incentive (lower protections increase labour competitiveness) ensures that all states, whether seeking labour exports or managing receiving

economies rationally prioritise mobility over protection, regardless of institutional framework. Contemporary migration governance reflects inversion of rights and responsibility relationships. Rather than frameworks establishing migrant rights and state obligations, dominant models emphasise state rights and voluntary commitments. This represents substantial shift from mid-twentieth century human rights momentum seeking universal rights independent of state discretion. Emerging powers have not challenged this inversion; they have reinforced it by emphasising state sovereignty and discretion. Whilst BRICS claims challenging Western hegemony, it has adopted governance frameworks consolidating state power which Western frameworks nominally constrain through rights language.

CONCLUSION

Analysis of migration governance in emerging multipolar order reveals that whilst developing countries and emerging powers have successfully challenged Western institutional legitimacy, they have not generated fundamentally different alternatives resolving core governance contradictions. BRICS, ASEAN, Cartagena, and alternative frameworks operate within similar structural constraints as Western regimes, producing similar outcomes: non-binding governance, emphasis on state sovereignty over protection, subordination of rights to mobility-development objectives, and chronic underfunding. This convergence reflects rational responses to genuine contradictions between state interests and protection obligations which institutional design cannot resolve. The multipolar moment represents institutional pluralism within similar structural constraints rather than governance renewal. Multiple competing frameworks (Western, BRICS-centred, regional, bilateral) coexist without providing fundamentally superior alternatives. Genuine institutional transformation would require addressing political contradictions: establishing binding resource transfer obligations, creating enforcement mechanisms for compliance, accepting sovereignty limitations, and prioritising migrant rights over development narratives. These currently appear politically infeasible across all geopolitical blocs. Some analysts and policymakers argue that the multipolar moment creates opportunities for institutional innovation precisely because no single bloc dominates, potentially enabling coalitions (such as vulnerable frontline states plus progressive civil society) to reshape frameworks. However, this analysis suggests such optimism overlooks the structural interests aligned across blocs: wealthy states (whether Western or emerging) benefit from labour mobility without protection; frontline states facing capacity constraints prefer non-binding frameworks preserving discretion; labour-importing developing economies compete by reducing protections. The alignment of these interests across ideological divides suggests that multipolar fragmentation may reinforce rather than challenge existing institutional logics. Fundamental transformation thus requires not institutional creativity but political mobilisation powerful enough to fundamentally reorient state interests away from sovereignty-maximisation toward protection-maximisation, a transformation requiring political movements that have not yet emerged at scale. The multipolar world exposes hollowness of humanitarian commitments which all state actors (Eastern and Western, developed and developing) have consistently prioritised below other strategic interests, suggesting meaningful migration governance transformation requires political movements demanding states prioritise migrant protection over sovereign border control, not merely institutional rearrangement.

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