

# **INTERNATIONAL JOURNAL OF LEGAL STUDIES AND SOCIAL SCIENCES [IJLSSS]**

ISSN: 2584-1513 (Online)

Volume 4 | Issue 1 [2026] | Page 325 – 341

© 2026 International Journal of Legal Studies and Social Sciences

Follow this and additional works at: <https://www.ijlsss.com/>

In case of any queries or suggestions, kindly contact [editor@ijlsss.com](mailto:editor@ijlsss.com)

# "THE SOVEREIGNTY PARADOX: GLOBAL JUSTICE AND THE GOVERNANCE OF HUMAN MOBILITY IN AN AGE OF BORDERS"

- M.V.Sambhavi <sup>1</sup>

- Leena. M <sup>2</sup>

## ABSTRACT

In an era of interconnected and increasingly globalised world, human mobility has emerged as one of the defining phenomena of the twenty-first century, reshaping notions of sovereignty, citizenship, and human rights protection. While globalisation has facilitated unprecedented economic integration and mobility for some, it has simultaneously deepened structural inequalities for migrants, refugees, stateless persons and asylum seekers exposing critical gaps in international protection regime. The migration, whether voluntary or forced has exposed significant gaps in the global human rights architecture. This paper, through the lens of global justice, critically examines these issues, how contemporary governance framework of equality, accountability, and protection fail to address the complexities of cross-border displacement.

The paper contends that while international instruments such as the 1951 Refugee Convention, human rights treaties, and regional mechanisms offer normative safeguards, their implementation remains fragmented and state centric. The privileging of territorial sovereignty over human dignity frequently results in exclusionary policies, border securitisation, and differential treatment of migrants based on nationality, legal status, and economic utility. Such practices undermine the principle of substantive equality and erode the universality of human rights.

Drawing on an interdisciplinary approach, this paper integrates human rights law with cosmopolitan ethics and shared responsibility principles, advocating a shift from discretionary, charity-based responses to enforceable accountability mechanisms that recognize migrants and refugees as rights-holders rather than passive recipients of aid. It emphasizes international cooperation, burden-sharing,

---

<sup>1</sup> III Year - B.A.LL.B Law Student, Government Law College, Coimbatore, Tamil Nadu, India.

<sup>2</sup> III Year - B.A.LL.B Law Student, Government Law College, Coimbatore, Tamil Nadu, India

and global governance in addressing the root causes of displacement, including conflict, climate change, and structural inequality. By redefining equality as substantive and accountability as collective, the paper advances an inclusive and humane framework for protecting migrants, refugees, and stateless persons, arguing that reframing these issues within global justice is essential to uphold the universality of human rights and prevent exclusion, precarity, and legal marginalization in a globalized world.

## KEYWORDS

Global Justice; Migration and Refugee Protection; Statelessness; Cosmopolitan Ethics; Substantive Equality; Humanitarian aid.

## INTRODUCTION

**“All human beings are born free and equal in dignity and rights,”** yet Article 1 of the UDHR increasingly clashes with a globalised reality where rights are contingent upon national identity. While the 21st century has seen digital and financial borders evaporate, physical boundaries for human beings have become increasingly fortified. We live in a paradox where migration is essential to the modern economy, yet the experience of crossing borders is defined by "securitisation," where state sovereignty often supersedes humanitarian obligations. For the world's most vulnerable, dignity remains conditional and protection uneven.

This crisis is accelerating at an unprecedented rate, leaving millions to exist in a state of legal limbo. According to mid-2025 UNHCR data, a record 117.3 million people are forcibly displaced, including 42.5 million refugees. Furthermore, while 4.4 million stateless persons are officially recorded, the true figure likely exceeds 10 million, marking a massive "invisible" rights violation. This global justice failure is exacerbated by a lack of responsibility-sharing, as 67% of displaced populations are hosted by developing nations. Consequently, a "protection gap" has emerged between international legal theory and the lived reality of non-citizens. This research addresses the tension between a state's right to control its borders and its moral obligation to protect the vulnerable, investigating whether current international legal frameworks remain adequate in an era of evolving border technologies and shifting global crises. Ultimately, how we treat the stateless and displaced defines whether human rights are truly universal or whether they simply end at the border.

## RESEARCH QUESTION

This research is guided by the following central inquiry:

- 1) **To what extent does the contemporary prioritization of state sovereignty in global migration governance undermine the principle of substantive equality?**
- 2) **How can a cosmopolitan framework of shared responsibility evolve from a normative aspiration into an enforceable legal obligation?**

The modern international system grants states broad authority to regulate borders, determine citizenship, and control entry into their territories. However, these sovereign powers often conflict with the universal commitments embedded within international human rights law. Migrants, refugees, and stateless persons frequently exist within a legal grey zone where their access to rights is mediated by nationality rather than by their inherent human dignity.

This study therefore examines whether current migration governance frameworks reinforce systemic inequality by privileging state control over humanitarian protection, and whether alternative models of global cooperation can offer more equitable solutions.

## OBJECTIVES OF THE STUDY

This research pursues three primary objectives.

- First, it seeks to **critically analyze the implementation gap** between international human rights commitments and their practical enforcement within domestic legal systems.
- Second, the study examines how the **securitization of borders transforms migrants and refugees into “legal outsiders.”** Policies designed around national security concerns often result in restrictive asylum procedures, detention regimes, and the denial of basic rights.
- Third, the paper proposes a **global justice-based framework of shared responsibility** in which the protection of displaced persons is treated not as a discretionary humanitarian act but as a collective obligation of the international community.

# RESEARCH METHODOLOGY

This study adopts a **doctrinal and analytical legal research methodology**, complemented by interdisciplinary perspectives from political philosophy and international relations. The doctrinal approach involves a critical examination of international legal instruments governing migration, refugee protection, and statelessness, including relevant conventions, protocols, and broader human rights treaties. It also considers judicial interpretations and constitutional principles that shape the application of international norms within domestic legal systems.

In addition, the study incorporates insights from **cosmopolitan ethical theory**, which emphasizes that fundamental rights derive from universal human dignity rather than from citizenship alone. To contextualize the legal analysis, the research employs a **comparative and qualitative approach** to understand broader patterns of displacement and governance challenges. This methodological framework enables the study to evaluate the gap between international legal commitments and their practical implementation within contemporary migration governance.

## FROM THEN TO NOW: HUMAN RIGHTS

The foundations of contemporary human rights discourse are frequently traced to early constitutional documents such as the Magna Carta, the English Bill of Rights, the Declaration of the Rights of Man and of the Citizen, and the United States Bill of Rights. These instruments are often celebrated as foundational milestones in the development of rights-based governance because they articulated early principles of liberty, limitations on sovereign authority, and the protection of certain civil freedoms.

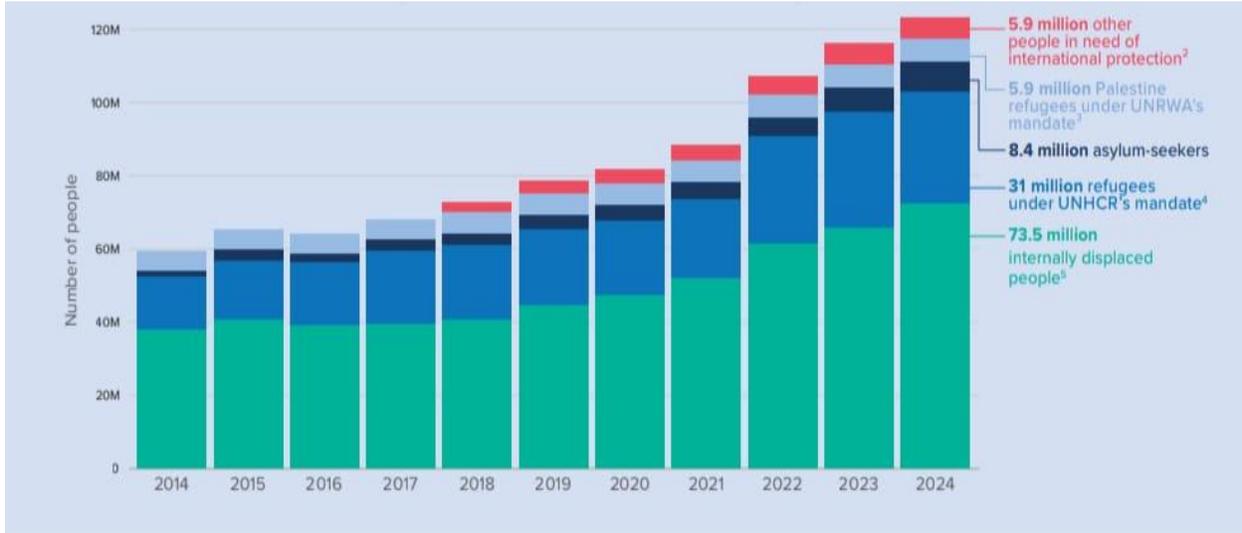


Figure 1. Data from UNHCR Global Trends Report 2024

However, a closer examination reveals that these texts were not conceived as universal guarantees of human rights. Their protections were largely confined to specific segments of society, particularly propertied men within dominant political communities. Women, enslaved populations, racial minorities, and individuals belonging to marginalized social groups were largely excluded from the rights frameworks these documents established. As a result, portraying these instruments as universal precursors to modern human rights regimes risks overlooking the structural inequalities embedded within their original political contexts.

A significant normative shift toward universal human rights emerged only after the Second World War with the establishment of the United Nations in 1945 and the adoption of the Universal Declaration of Human Rights. The Declaration sought to articulate a global framework in which rights were grounded in the inherent dignity of every human being rather than restricted by nationality, race, gender, or political status. While the Declaration marked an important transformation in the articulation of universal rights, the continuing disparities in their recognition and enforcement demonstrate that the realization of these ideals remains an ongoing challenge within the international legal order.

## **MIGRATION**

Migration is the movement of people from one place to another, changing their usual residence, either within a country (internal) or across international borders (external), temporarily or permanently, for various reasons like economic, social, political, or environmental factors, excluding short trips for tourism or recreation.

## **REFUGEES**

The 1951 Refugee Convention defines a refugee as a person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of their nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country." There were 42.5 million refugees globally at the end of June 2025, the most recent reporting period.

## **STATELESS PERSONS**

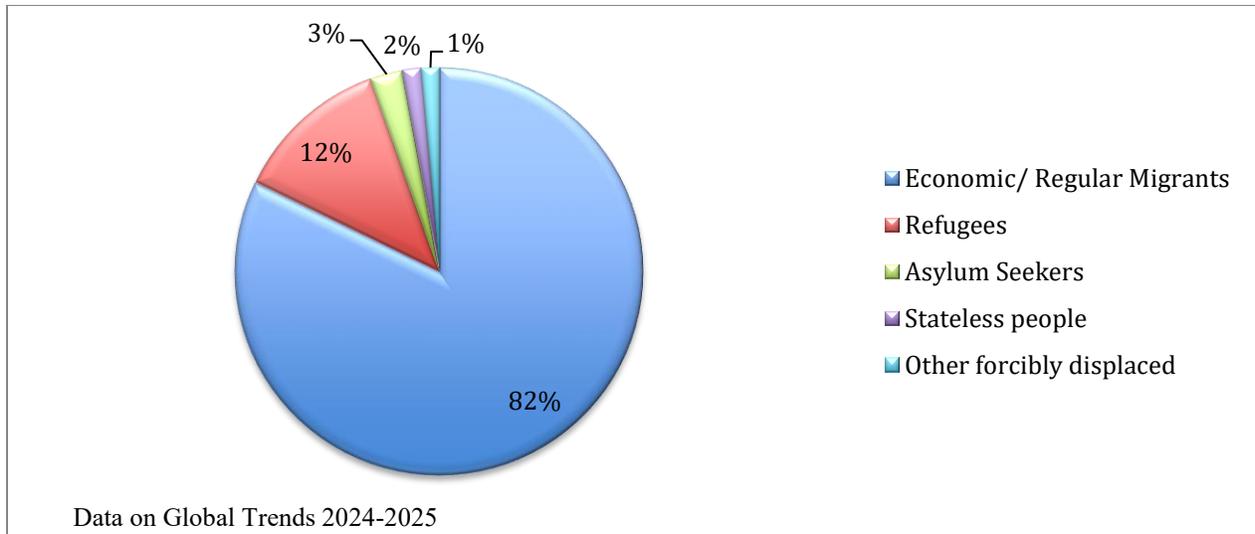
According to **Article 1 of the 1954 Convention relating to the Status of Stateless Persons**, "stateless person" means a person who is not considered as a national by any State under the operation of its law. Based on data from the UNHCR Mid-Year Trends Report released in November 2025, there were at least **4.4 million stateless people** worldwide at the end of June 2025.

## **STATELESSNESS AFTER THE USSR COLLAPSE**

The dissolution of the Soviet Union in 1991 led to widespread statelessness as Soviet citizenship ceased to exist and successor states adopted new nationality laws based on ethnicity or strict residency criteria. Millions who lacked proper documentation or lived outside their ethnic homelands became stateless or “non-citizens,” resulting in exclusion from employment, healthcare, education, political participation, and legal identity. Despite legal reforms, statelessness persists in parts of the Baltic states and Central Asia as of 2026, with international bodies like UNHCR continuing to advocate for inclusive citizenship laws in line with the right to nationality.

## **ASSAM NATIONAL REGISTER OF CITIZENS (NRC), INDIA**

The Assam NRC update, completed in 2019, excluded approximately 1.9 million residents while identifying alleged post-1971 migrants under the Assam Accord and Section 6A of the Citizenship Act, 1955. The process has been criticized for arbitrary documentation requirements that disproportionately affected women, the poor, and minorities. Excluded individuals face risks of detention, loss of citizenship rights, denial of public services, and potential long-term statelessness, as deportation is largely unfeasible.



## CONTEMPORARY PATTERNS OF HUMAN DISPLACEMENT

### BASED ON BOUNDARIES

**Internal Migration** is the movement of people from one region to another within the national borders of the same country. **International / External Migration** refers to the movement of persons from one country to another.

### BASED ON WILLINGNESS

**Forced migration** occurs when individuals are compelled to leave their homes due to threats to life, liberty, or survival. Victims of forced migration are left with no choice. At the end of 2024, 123.2 million people worldwide were forcibly displaced as a result of persecution, conflict, violence, human rights violations and events seriously disturbing public order.

**The Syrian refugee crisis** was primarily triggered by the 2011 civil war, which began after the violent government suppression of pro-democracy protests. Over 14 years, intense fighting between government forces, opposition militias, and extremists created a devastating humanitarian crisis, causing millions to flee to neighboring countries like Turkey, Lebanon, and Jordan. However, return remains largely unsustainable due to extensive infrastructure destruction and ongoing insecurity. As of 2026, the Syrian refugee crisis remains among the world's gravest humanitarian emergencies, with

over 14 million people displaced since 2011, including 7.4 million IDPs and 6.4 million refugees abroad.

**Voluntary Migration** refers to movement made by choice, generally motivated by the desire to improve one's living conditions.

## BASED ON DURATION

**Temporary migration** is the movement of people to another place for a limited period with the intention to return. Temporary migration flows remain significantly higher than pre-pandemic levels in many wealthy countries, with temporary work migration routes around 2.3 million in recent global reports.

**Permanent Migration** is the movement of people to a new place with the intention to settle indefinitely, often leading to long-term residence or citizenship. Permanent migration to advanced economies recently totaled around 6.2 million in 2024, still above pre-COVID levels, showing ongoing demand for long-term settlement.

Migration reflects both opportunity and inequality. In a globalised world, the movement of people is increasingly shaped by economic disparity, conflict, and climate crises, making human-rights-based protection essential for migrants, refugees, and stateless persons.

## FROM CITIZENS TO STRANGERS: THE MAKING OF MIGRANTS, REFUGEES AND THE STATELESS

**Economic Migration** involves the movement of individuals or groups from one region to another in search of better economic opportunities, improved living standards, and a more secure future.

As of 2026, the Venezuelan migration crisis<sup>3</sup>, one of the largest displacement emergencies globally, has driven over 7.7-7.9 million people to flee extreme economic collapse, hyperinflation, and shortages of food and medicine since 2014. Most of these migrants around 6.5-6.9 million are in Latin America and the Caribbean, with major host countries including Colombia, Peru, Brazil, Chile, and Ecuador.

---

<sup>3</sup> Background paper to the World Development Report 2023: Migrants, Refugees, and Societies April 2023

The exodus reflects severe poverty and lack of basic services, forcing families into dangerous routes like the Darién Gap and exposing them to human rights violations, labor exploitation, and xenophobia

Environmental Migrants are persons or groups of persons who, predominantly for reasons of sudden or progressive change in the environment that adversely affects their lives or living conditions, are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently, and who move either within their country or abroad.

As of now, climate-induced migration in Pacific Island nations like Kiribati, Tuvalu, and the Marshall Islands affects over 50,000 people annually due to sea-level rise, coastal erosion, and extreme weather. Populations move internally to urban centers such as Tarawa and Majuro or internationally to Australia and New Zealand. By 2030-2055, large areas may become uninhabitable, threatening cultural identity and raising legal challenges due to the lack of recognition for “climate refugees.”

**Armed Conflict And Warfare** are **major push factors** being the **primary driver** in many regions, underscoring the close link between war, human rights violations, and forced migration. **Victims are left with no choice but to flee** due to direct threats to life, widespread violence, and the collapse of state protection.

PUSH FACTORS	PULL FACTORS
Persecution and Human Rights Violation	Protection of Rights / Asylum
Poverty and unemployment	Employment opportunities
Political instability	Political stability and freedom
Natural disasters and climate stress	Environmental safety
Violence and insecurity	Law and order / personal security
War and Armed conflict	Safety Peace

**South Sudan**, the world’s newest country since 2011, has faced renewed armed conflict since 2013, triggering Africa’s largest refugee crisis. About 2.32 million South Sudanese have fled to neighboring countries, while nearly 2.22 million remain IDPs. Over 83% of those displaced are women and children, with children comprising around 65% of the refugee population. Most refugees are hosted in Uganda, Sudan, Ethiopia, Kenya, and the DRC. The crisis is driven by persistent violence, economic collapse, hunger, and disease, highlighting the fragility of the post-independence state.

**Political Instability And Improper Governance** undermine state authority, weaken rule of law, and disrupt economic and administrative systems. As public security deteriorates and institutions fail to protect rights or deliver basic services, livelihoods become unsustainable and legal protections erode. The resulting loss of safety, dignity, and economic viability compels populations to migrate, making movement a structural outcome of governance failure rather than an individual preference.

**The Afghan refugee crisis** stems from four decades of armed conflict, culminating in the Taliban's return to power in August 2021, which triggered mass displacement. As of early 2024, over 6 million Afghans are refugees abroad and approximately 3.5 million are internally displaced.

**The Lack Of Legal Protection** exposes individuals especially those belonging to particular ethnic groups to identity denial, discrimination, and rights deprivation. When states fail to recognize or protect legal identity and citizenship, affected populations face systematic exclusion from security, services, and livelihoods. This institutional marginalization drives forced migration and significantly contributes to refugee flows and statelessness.

**Rohingya Crisis** stems from Myanmar's long-standing denial of citizenship under the 1982 Citizenship Law, rendering the Rohingya Muslim minority stateless and systematically excluded from basic rights. The situation escalated in August 2017 when military "clearance operations" involved mass killings, village destruction, and sexual violence, acts described by the United Nations as bearing *genocidal intent*. Over 740,000 Rohingyas fled to Bangladesh, where nearly one million now live in overcrowded camps in Cox's Bazar. Proceedings before the International Court of Justice<sup>4</sup> and investigations by the International Criminal Court highlight ongoing efforts and limitations in securing accountability, refugee protection, and non-refoulement under international law.

## **BEYOND BORDERS: HOW INTERNATIONAL LAW PROTECTS THE DISPLACED**

The **international legal protection framework for migrants, refugees, and stateless persons** emerged after **World War II**, when mass displacement exposed gaps in state protection. Rooted in the **1948 UDHR**, it affirms equality, freedom of movement, the right to seek asylum, and the right to nationality.

---

<sup>4</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar), Provisional Measures, Order of 23 January 2020, I.C.J. Reports 2020, p. 3

Protection for **refugees** is centred on the **1951 Convention Relating to the Status of Refugees** and its **1967 Protocol**, which define refugee status and establish the principle of **non-refoulement**, prohibiting return to persecution. **Stateless persons** are protected under the **1954 Convention on the Status of Stateless Persons**, ensuring legal identity and basic rights, and the **1961 Convention on the Reduction of Statelessness**, aimed at preventing and reducing nationality loss. **Migrants**, including migrant workers, are covered by the **1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**, which affirms equality, labour rights, and human dignity regardless of legal status.

Although India is not a signatory to the 1951 Refugee Convention, its judiciary has extended constitutional protections to refugees under Article 21 (Right to Life and Personal Liberty).

In *Dong Lian Kham v. Union of India (2015)*<sup>5</sup>, the Delhi High Court emphasized that the absence of a specific domestic legal framework for refugees does not negate their basic human rights. The ruling reinforced that foreign nationals, including refugees, are entitled to protection under Article 21 (right to life and liberty) of the Indian Constitution, addressing concerns regarding arbitrary detention and deportation.

The principle of non-refoulement, widely regarded as a norm of customary international law, is a cornerstone of international refugee and human rights law. It prohibits states from returning, expelling, or extraditing any person to a country where they face a real risk of persecution, torture, cruel, inhuman or degrading treatment, or threats to life or freedom. It is expressly recognized under Article 33(1) of the 1951 Refugee Convention and reinforced by international human rights treaties.

In *Ktaer Abbas Habib Al Qutaifi v. Union of India (1998)*<sup>6</sup>, the Gujarat High Court emphasized that non-refoulement prohibits returning a displaced person (Iraq refugees) to a place where they face threats to their life or freedom based on race, religion, or nationality.

Together, these frameworks are reinforced by broader international human rights treaties such as the **ICCPR**<sup>7</sup> and **ICESCR**<sup>8</sup>, **CRC**<sup>9</sup>, **CEDAW**<sup>10</sup>, and **CAT**<sup>11</sup> which apply to all persons irrespective of nationality. Collectively, they reflect a shift from state-centred sovereignty to a **rights-based global**

---

<sup>5</sup> 226 DLT 208 (2016)

<sup>6</sup> 2 GLH 1005 (1998)

<sup>7</sup> International Covenant on Civil and Political Rights

<sup>8</sup> International Covenant on Economic, Social and Cultural Rights

<sup>9</sup> Convention on the Rights of the Child

<sup>10</sup> Convention on the Elimination of All Forms of Discrimination Against Women

<sup>11</sup> Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

**justice approach**, seeking to protect life, identity, and dignity in conditions of forced displacement and global inequality.

## WHO BELONGS, WHO DOESN'T? CITIZENSHIP AND STATE POWER AS A LEGAL BARRIER

Nationality is a legal bond between a person and a State. Nationality provides people with a sense of identity but, more importantly, enables them to exercise a wide range of rights. Think of **citizenship as the key to rights**. Most political, social, and economic benefits are legally tied to nationality, so migrants and refugees are often left with temporary or conditional access. Stateless persons face the harshest reality without nationality, they lack legal identity and diplomatic protection altogether. Even though international human rights law says rights belong to everyone, in practice **who gets what still depends on citizenship**.

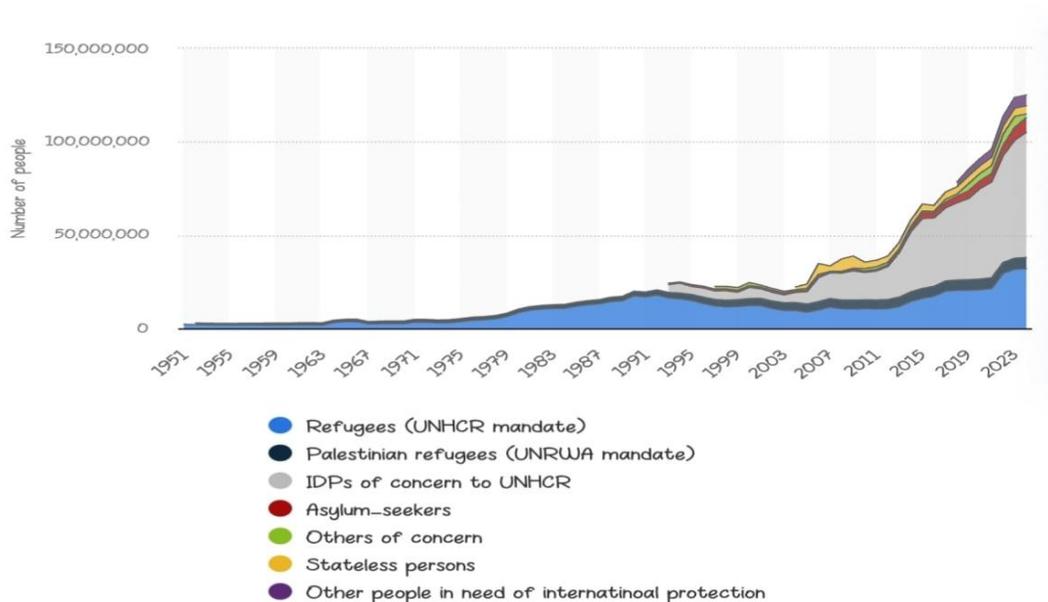


Figure 2 . Annual number of refugees under United Nations mandates, internally displaced persons (IDPs), asylum seekers, and other persons in need of assistance from 1951 until 2024

Now add **state sovereignty** to the picture. Governments control borders, decide who can enter, stay, or become a citizen, and who must leave. International law does not give people a general right to cross or remain in another country only limited safeguards like non-refoulement exist. This legal power allows states to restrict asylum, detain migrants, or block long-term solutions in the name of security or policy priorities, often sidelining humanitarian concerns.

# **BETWEEN LAW AND REALITY: WHY INTERNATIONAL PROTECTION FAILS MIGRANTS, REFUGEES, AND THE STATELESS**

Despite a comprehensive international legal framework, the protection of migrants, refugees and stateless persons is marked by a significant implementation gap between law and practice. This gap stems largely from weak political will, sovereignty concerns and the prioritisation of border control and security over human rights obligations. While many states have ratified international treaties, uneven adoption and poor domestic enforcement limit their effectiveness, particularly for migrant workers and stateless persons.

In practice, this gap results in restricted access to asylum procedures, violations of non-refoulement, arbitrary detention and denial of basic rights such as healthcare and education. Refugees and migrants frequently face discrimination and criminalization, while stateless persons remain especially vulnerable due to the absence of nationality and legal recognition. Consequently, international protection often remains symbolic, with rights guaranteed in law but rarely realized in everyday life.

## **CONCLUSION**

**At a time when the world is more connected than ever, the movement of people across borders exposes the deepest contradictions of the global human rights system.** Migration, refugeehood, and statelessness bring into sharp focus the gap between the promise of universal human rights and the reality of selective protection. While international law affirms dignity and equality for all, migrants, refugees, and stateless persons often encounter closed borders, prolonged legal uncertainty, and limited access to justice. Their experiences reveal not only failures of protection, but a broader crisis of accountability within the global human rights system.

Rethinking global justice demands responsibility from all countries, not just those at the frontlines of displacement. States must move beyond political convenience toward genuine cooperation sharing responsibility, strengthening fair asylum and migration systems, and faithfully implementing international obligations. When all countries are held accountable and actively contribute to protection, human rights can move from principle to practice, and global justice can become a lived reality rather than a distant ideal.

## **SUGGESTIONS AND WAY FORWARD**

Bridging the gap between international legal commitments and practical protection requires reforms that balance state sovereignty with collective responsibility. The following measures may help strengthen the global governance of human mobility.

### **FROM VOLUNTARY ASSISTANCE TO SHARED RESPONSIBILITY**

At present, protection and assistance for displaced populations largely depend on voluntary contributions from states. This often results in uneven responsibility-sharing and periodic funding shortages. A more structured international framework could allocate responsibilities among countries based on measurable indicators such as economic capacity and demographic conditions. States that are unable to host displaced populations could contribute financially to an international support mechanism, ensuring that protection responsibilities are distributed more equitably.

**Development of safe and regulated mobility pathways** displacement is frequently managed only after crises emerge, leaving affected populations with limited safe options for movement.

Governments can address this challenge by developing clearer legal pathways for temporary protection and humanitarian entry. Integrating migration planning into disaster preparedness, development policy, and regional cooperation mechanisms can enable population movements to occur in a more organized and humane manner.

### **PROMOTING SELF-RELIANCE AND ECONOMIC INCLUSION**

Policies that confine displaced persons to long-term camps often restrict access to employment, education, and public services. Allowing displaced populations to participate in local economies through lawful work opportunities, freedom of movement, and access to essential services can promote self-reliance while also benefiting host communities.

### **STRENGTHENING DOMESTIC LEGAL SAFEGUARDS**

Domestic legal institutions play an important role in safeguarding the dignity and rights of individuals within a state's territory. Encouraging dialogue and cooperation among judicial institutions across

jurisdictions can help develop more consistent standards of protection and reduce the risk of arbitrary detention, exclusion, and other forms of legal precarity faced by displaced populations.

## REFERENCE

### INTERNET SOURCES

- 1) Statista, **Number of Refugees and Displaced People Worldwide**, <https://www.statista.com/statistics/1309846/refugees-displaced-worldwide> (last visited Jan. 20, 2025).
- 2) United Nations High Commissioner for Refugees, **Refugees**, <https://www.unhcr.org/in/about-unhcr/who-we-protect/refugees> (last visited Jan. 21, 2025).
- 3) World Bank, **The Venezuela Migration Crisis: A Development Opportunity for Latin America and the Caribbean**, <https://thedocs.worldbank.org/en/doc/7277e925bdaa64d6355c42c897721299-0050062023/original/WDR-Colombia-Case-Study-FORMATTED.pdf> (last visited Jan. 19, 2025).
- 4) United Nations High Commissioner for Refugees, **Global Trends: Forced Displacement Worldwide**, <https://www.unhcr.org/global-trends> (last visited Jan. 15, 2025).
- 5) Chetail, V. (2016). Sovereignty and migration in the doctrine of the law of nations: An intellectual history of hospitality from Vitoria to Vattel. *European Journal of International Law*, 27(4), 901–922. <https://doi.org/10.1093/ejil/chw059> Cited by: 126
- 6) Hollifield, J. F. (2004). The emerging migration state. *International Migration Review*, 38(3), 885–912. <https://doi.org/10.1111/j.1747-7379.2004.tb00223.X> Cited by: 1389
- 7) Achiume, E. T. (2022). Racial borders. *Georgetown Law Journal*, 110(3), 445–508.
- 8) Kaul, I. (2014). *Fostering sustainable human development: Managing the macro-risks of vulnerability*. United Nations Development Programme (UNDP).
- 9) Miller, D. (2016). *Strangers in our midst: The political philosophy of immigration*. Harvard University Press.
- 10) Sager, A. (2020). *Refusing and resisting borders*. *Global Justice: Theory Practice Rhetoric*.

- 11) Ypi, L. (2012). Justice in migration: A closed borders utopia? In *Global Justice*. Routledge. <https://doi.org/10.4324/9781315254210-14>
- 12) Laurence, A. J., & Hoffmann, F. F. (2025). Unruly practices at the border: From mobility regimes to infrastructures in Latin America. *German Law Journal*. <https://doi.org/10.31235/osf.io/qm9pr> Cited by: 2
- 13) Halilovic, A. (2024). Executive migration governance and law-making in the European Union: Towards a state of exception. *European Papers*, 9(2), 513–527. <https://doi.org/10.15166/2499-8249/769>

## BIBLIOGRAPHY

### BOOKS

- 1) H.O. Agarwal, *Human Rights* (Central Law Publications 2023).
- 2) Chiranjivi J. Nirmal, *Human Rights in India* (Oxford Univ. Press 2000).
- 3) K.C. Joshi, *International Law and Human Rights* (E. Book Co. 2024).
- 4) Guy S. Goodwin-Gill & Jane McAdam, *The Refugee in International Law* (3d ed. Oxford Univ. Press 2007).
- 5) S.K. Kapoor, *International Law and Human Rights* (Central Law Agency 2021).
- 6) James F. Hollifield et al., *Controlling Immigration: A Global Perspective* (4th ed. 2022).
- 7) David Miller, *Strangers in Our Midst: The Political Philosophy of Immigration* (2016).
- 8) Joseph H. Carens, *The Ethics of Immigration* (2013).
- 9) Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (2004).
- 10) Ayelet Shachar, *The Shifting Border: Legal Cartographies of Migration and Mobility* (2020).
- 11) Catherine Dauvergne, *Making People Illegal: What Globalization Does to Migration Law* (2008).
- 12) John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (2d ed. 2018).
- 13) E. Tendayi Achiume, *Migration as Decolonization* (2024).

## JOURNAL ARTICLES

- 1) Balasubramanian & Aravind Raj, *Legal Perspectives on Statelessness and Refugee Rights*  
10 JSS J. Legal Stud. & Res. 57 (2024).