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# MIGRATION IN WESTERN DEVELOPED STATES' FOREIGN POLICIES: THE EXCLUSION OF THE TOPIC FROM THE HUMAN RIGHTS AGENDA<sup>1</sup>

## MIGRAÇÃO NAS POLÍTICAS EXTERNAS DE PAÍSES DESENVOLVIDOS: A EXCLUSÃO DO TEMA DA AGENDA DE DIREITOS HUMANOS

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### Abstract

This paper's goal is to analyze the contradiction between the developed western countries' discourse in favor of human rights and their foreign policies towards the subject, focusing on immigration. This is done via the analysis of 20 years of diplomatic decisions in Human Rights bodies at the United Nations, resorting to bibliographical and documental sources and using descriptive and explanatory research methods through the application of inductive reasoning. After cataloging and studying the diplomatic decisions of four countries – the U.K., France, Sweden, and Norway –, one can notice that this issue has peculiarities if compared to other human rights subjects addressed by international institutions. Among the results, it can be observed the exclusion of the immigration topic from the human rights agenda, as it is placed in the economic or security ones. And the growing amount of diplomatic and legal instruments against the migrant population lead to the increase of their vulnerability and even, in some cases, to the violation of international law.

Keywords: Immigration; Human rights; Foreign policy.

### Resumo

Este artigo tem o objetivo de analisar a questão da imigração contemporânea sob a ótica das políticas externas de países ocidentais desenvolvidos. Isso é feito através da análise de decisões diplomáticas durante 20 anos no âmbito de instituições relacionadas a direitos humanos dentro da ONU, recorrendo-se a fontes bibliográficas e documentais e utilizando-se os métodos descritivo e explicativo em uma pesquisa indutiva. Por meio da catalogação e do estudo de decisões diplomáticas de quatro países – França, Reino Unido, Suécia e Noruega –, observa-se que o tema imigração têm peculiaridades comparativamente com outros temas de direitos humanos abordados nos mesmos foros internacionais. Dentre as conclusões, percebe-se a exclusão da imigração da agenda de direitos humanos e a inclusão em agendas como a de economia ou de segurança. E a crescente quantidade de instrumentos diplomáticos e legais em desfavor da população imigrante aumenta sua vulnerabilidade e gera em alguns casos, inclusive, a violação do direito internacional.

Palavras-Chave: Imigração; Direitos humanos; Política externa.

## 1. INTRODUCTION

People and institutions representing most cultures and countries in the world frequently use the expression Human Rights. However, since the origin and the most significant development

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of the topic happened in the West, it is common to associate human rights promotion and greater respect to developed western states.

Despite the international fame of the pan-European civilization when it comes to human rights, its actual behavior does not conform to its good reputation. Western developed countries often benefit from perceptions that are not necessarily real. Taking into consideration their foreign policies towards human rights, the good image these countries benefit from couldn't be further from the truth, as their positions and decisions are quite often contradictory and go against the development of the human rights in the international scene.

Considering the evidence of the reality distortion that affects the world system in many practical ways, this article aims at dismantling and redefining false concepts and images that were created and maintained to help to keep the power of those who enjoy a good reputation in the field of human rights. The goal is to question political positions and discourses that seem natural and expected by the general public, but that does not conform to the actual decisions at the human rights international institutions. To be able to discern what is real from what is merely rhetorical is essential to understand how the world system works and to plan and fight for changes that have a positive repercussion both locally and internationally. In this context, the premise that human rights are a new type of universalism is adopted, as it is imposed to all civilizations as a model to be followed, while western developed countries often have a behavior that is incoherent with the real promotion of human rights internationally.

Based on the Critical Theory of human rights as well as on the political Realism in International Relations, we will analyze the western developed countries' foreign policies in the field of human rights. More specifically, we will address the immigration topic and related subjects, such as xenophobia, religious freedom, and racism. To represent the usually common positions adopted by western developed states in this field, the votes of four countries will be catalogued and studied: France, United Kingdom, Sweden, and Norway. The analysis, which mixes qualitative and quantitative methodologies and uses descriptive and explanatory research methods, is based on data compilation concerning 20 years of diplomatic decisions (1992 – 2011) at human rights international institutions. Resorting to documental and bibliographical sources, the study applies inductive reasoning, as the data collected are the foundation for the general conclusion that western developed countries tend to avoid considering immigration as a human rights subject, including it in the security or economic agenda whenever it is possible. The results of this research reveal that, differently from other human rights topics, the immigration one does not show a significant disparity between discourse and practice of the analyzed countries, as this subject is highly rejected domestically and tends to be detached from the human rights field as much as possible.

## 2. COUNTRIES, INSTITUTIONS, AND VOTING SYSTEMS

Contemporarily, any developed western country can be identified as a supporter of the human rights principles and concepts. Even though one may find flaws in discourses and policies, both domestically and internationally, western developed states are and have always been the main pro-human rights messengers. One of the reasons that explain this is the fact that some of these countries were pioneers in recognizing and promoting human rights domestically. Regardless of the reasons, the development of human rights was such that it transcended national borders and became a global issue, turned into an International Regime.

Out of the rich western countries club, there are two other groups: the developing states that were once colonized by European countries and the rest of the world. In the first group, the dissemination of the idea and principles of human rights does not find much resistance. Those countries were heavily influenced by Europe and thus are used to inherit western European behavior patterns. Therefore, it is common for those states to feel they are part of the Human rights international Regime, voting for declarations, ratifying treaties, and taking part in international conferences. However, it is also common for them to face difficulties to efficiently implement many of the national and international human rights norms since economic, social, and institutional problems are rather frequent, putting the effective respect for basic human rights norms in jeopardy.

The third group – the rest of the world – is composed of developed and developing countries that are not part of the pan-European civilization, such as Arab states, China, Japan among others. These countries built their societies based on their own characteristics and peculiarities, which often do not coincide with those adopted by the Europeans. Human rights in the way they appear in international norms and institutions are frequently seen as an insult to non-western peoples or simply do not seem to be pertinent to their societies. This is partly why many of these states tend to be reluctant to adhere to the Human Rights Regime. In a world led by the pan-European civilization, the countries of this third group are often criticized and even politically persecuted for their choices concerning human rights in the international scenario.

The two last groups – the problematic ones concerning the respect for human rights – are those that are more often studied in the International Relations/Political Science fields, as the challenges they impose on an unquestionably settled international regime are quite significant and examples and cases are abundant. Notwithstanding this trend, this paper intends to understand how western developed countries behave when it comes to promoting human rights at multilateral human rights bodies. Therefore, the countries analyzed in this paper and that will represent the western developed world – as they vote in block most of the time – are France, United Kingdom, Sweden, and Norway.

Two reasons explain why these countries were chosen as representatives of all western developed states. Firstly, there is the fact that they are unquestionably western developed states that advocate human rights as vital for the world's progress. Secondly, it is because they can be divided into two distinct groups. On the one hand, human rights share common origins in England and France, but as these states are at the center of the world system in terms of power, they often act against the human rights ideals in the international scene. According to Haas (p.52, 2013), "as of 1815, only Britain, France, and the United States formally recognized a wide range of individual rights". On the other hand, Sweden and Norway, despite not being determinant for the human rights origin, have developed throughout time an impeccable international fame when it comes to promoting human rights. They are frequently considered as models to be followed in terms of social development and respect for human rights.

Parliament passed the Habeas Corpus Act in 1679 to formalize and strengthen the Petition of Right from 1628. James II succeeded on his brother's death in 1685 and issued the Declaration for Liberty of Conscience in 1687. The declaration established a principle of freedom of religion, suspending penal laws enforcing conformity to the Church of England [...] (HASS, 2013, pp. 47 e 48).

Even though there seem to be differences between the two groups regarding human rights, the data compilation analyzed on the next topic reveals that their decisions are seldom divergent at the main institutions related to the subject. However, the similarity in their behavior is mainly about being against the international promotion of human rights, instead of showing support. More often than most people can imagine, their diplomacies work against an effective development of human rights in the international system and all the other western developed countries that are present and vote behave similarly.

The data for this paper were collected at two different institutions. The main one is the Human Rights Council (HRC), which replaced the former Human Rights Commission in 2006. The HRC is not an international organization and thus has no international legal personality nor has it the autonomy and independence that identify international organizations. The HRC is a United Nations' subsidiary organ, subordinated to the UN General Assembly. While the UN High Commissioner for Human Rights (OHCHR) is the main technical body for the subject, the HRC is the main political organ concerning human rights.

The secondary institution from where data were collected is the UN's General Assembly (UNGA). In this paper, UNGA is considered less important because it is not an organ exclusively devoted to human rights, although it can and it does address the subject quite often. UNGA plays an important role because of the countries studied in this paper. The power that the UK and France hold in the world system allows them to have a leading part in multilateral fora. This explains their constant presence in the HRC and makes it possible not only to gather the voting information, but also allows us to identify behavior consistencies and inconsistencies.

In Sweden and Norway's cases, nonetheless, it can be noticed that they have not been members of the Human Rights Commission or Council as often as France or the UK. When it comes to Sweden, for instance, it has never been a member of the HRC since its creation in 2006. Therefore, collecting and using UNGA's data, a UN body in which Norway and Sweden are active permanent members, is essential to assure data consistency. UNGA addresses the most diverse subjects in its meetings and there is always a session to discuss human rights. The topics discussed and voted on usually have the exact same title as the ones in the HRC. As a consequence, using UNGA's data allows us to verify the Nordic countries' positions, even if the amount of human rights subjects discussed by the UNGA is smaller than the addressed by HRC.

Summarizing what is being presented in this paper in terms of data, we have the following: all the HRC and Commission resolutions related to the immigration topic between 1992 and 2011, adopted by nominative voting; and all UNGA human rights resolutions that have the very same title as the ones discussed by the HRC until 2011. At both HRC and UNGA, members have three voting options: in favor, abstentions, and against. While the first means cooperation and willingness to promote human rights internationally, the third shows a lack of cooperation. With respect to abstentions, this choice may be interpreted in quite different ways in a diplomatic context, so we should clarify the criteria adopted in the cases analyzed in this paper. It should be made clear that many resolutions each year are adopted without a vote and those were not included in the data, as no individual votes were recorded.

In the human rights field, diplomacy is done in many ways: unilateral acts of state, declarations, treaties, participation in political organs, such as HRC, and in human rights courts, among others. The level of commitment required by each of these mechanisms varies, as some of them are legally binding while others only exert influence in the political sphere, where the repercussions of misbehavior are merely moral.

In the political arena, especially in multilateral institutions, it is common to adopt the mentioned voting system through which the country votes for, against, or abstain. Diplomatically, the option to abstain may have different connotations depending on the context. It might mean indifference towards the topic; or some kind of dissent in a context where it is not wise to vote completely different from the others; or any other situation that demands an evasive and apparently neutral behavior, which is very common in the diplomatic world.

Neutral, however, is one of the adjectives least suitable pertaining to abstentions. In general, abstentions can be easily understood when one analyzes the context in which this type of vote is chosen. In the case of HRC, this rule applies as well. The UK, France, Sweden, and Norway, just like all western developed states, are, at least rhetorically, major sponsors of human rights. Therefore, when they choose to abstain in the context of institutions that do not even have the power of adopting legally binding resolutions, it remains clear that they are not in favor of internationally promoting the topic discussed, although they consider it wise to hide their real

opinion behind an abstention rather than voting against. By studying each resolution individually, we will find explanations not only for the abstentions, but also for the “against” votes. Many topics with the same title have been discussed in different years at the HRC. It is interesting to note that the same countries have had different choices regarding the same topic throughout the years and the change from abstention to “against” happened more often than the opposite situation.

### 3. THE RESOLUTIONS ON MIGRATION AND RELATED SUBJECTS: THE COUNTRIES' VOTING RECORD

Transboundary movement of people is as old as humanity itself. However, after the intensification of the globalization process in the last decades and the rapid development of communication and transports, human migrations have become more frequent and intense. This has engendered great political, social, economic, and legal impacts on countries where this influx of migrants is bigger. As consequence, this subject never loses space or becomes outdated in the world system.

For developed states, immigration and related issues like racial and religious matters are rather delicate. In the last decades, economic and social opportunities in central countries have attracted many immigrants from poorer states who were hoping to find better life conditions<sup>3</sup>. This had and still has not only economical repercussion, but also cultural impacts, which are often questioned by the native population, especially the most conservative sector of the societies who tend to blame immigrants for the main problems their countries face, such as unemployment, violence, and terrorism. Therefore, it is not rare that immigrants are subject to many human rights restrictions<sup>4</sup> in the countries where they live, as if there was a conceptual distinction in which nationals – preferably white ones – were more human than immigrants, alike to what Arendt (2004) once explained, although in a different migration context<sup>5</sup>. In the diplomatic arena, this line of thought applies as well, so the HRC resolutions on the subject seldom have the support of the UK, France, Norway, and Sweden.

Throughout the 20 years of decisions compiled and analyzed, there were thirteen resolutions on immigration and related topics whose votes were registered individually – country-

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<sup>3</sup> It is important to mention that, according to statistics, developing countries usually receive more immigrants than developed states. If the repercussions and visibility of immigration are greater regarding developed states that is because information and News about rich countries are more easily disseminated. Statistics on migration can be found here: <http://www.ufjf.br/pur/files/2011/04/MIGRA%C3%87%C3%83O-NO-MUNDO.pdf>.

<sup>4</sup> Reports made available by well known human rights NGOs show that immigrants have been faced with all manners of problems at the four analyzed countries: <https://www.amnesty.org/en/countries/europe-and-central-asia/united-kingdom/report-united-kingdom/>; <https://www.amnesty.org/en/countries/europe-and-central-asia/france/report-france/>; <https://www.amnesty.org/en/countries/europe-and-central-asia/sweden/report-sweden/>;

<sup>5</sup> Arendt has analyzed the situation of statelessness and minority groups in the context of the II world war.

by-country. Out of these thirteen, only two had the support of the four states, which means that eleven resolutions were rejected either implicitly or explicitly. More specifically, there were four abstentions and seven votes against. Dividing the data into specific themes, the only subject that had support from the four countries was religion. The titles of the resolutions are the following: “Eliminations of all forms of religious intolerance” and “Discrimination based on religion or belief and its impact on the enjoyment of economic, social and cultural rights”.

Some reasons may explain why the analyzed countries voted in favor of the mentioned resolutions. Firstly, to deny a basic civil right as religious freedom is would go against all the allegedly universal values that the pan-European civilization is proud to say it respects and promotes. Secondly, in the case of the religious intolerance resolution, it was largely based on the work of a special rapporteur that had the mission to investigate situations of intolerance in specific countries, and the UK, France, Sweden, and Norway were not investigated. There is no room in this paper to address resolutions that do not relate to immigration, but the complete study (LIMA, 2016) with all the HRC resolutions reveals that one of the few topics that western developed countries are consistently in favor of is the one that points human rights violators, usually developing states. The support for the intolerance resolution thus can be explained, at least partially, by this tendency to vote in favor of this type of resolution. Furthermore, the resolution content is quite vague and does not represent any direct threat to the analyzed countries:

Encourages the continuing efforts of the Special Rapporteur to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief and to recommend remedial measures as appropriate (UNITED NATIONS HUMAN RIGHTS COMMISSION, E/CN.4/2003/135, 2003: p. 211).

Despite the fact that the four countries voted in favor of the mentioned resolutions, one should not forget that they were the only ones among thirteen resolutions on immigration or related topics. In addition, there are two other resolutions on the same subject – religion – that did not get the support of the UK, France, Sweden, and Norway. The titles of these last resolutions are “Combating defamation of religions” and “Incitement to racial and religious hatred and the promotion of tolerance”.

For western developed countries, a delicate issue is that they cannot deny that Islamism is a religion. Islam has been problematic for the pan-European civilization since its constitution, centuries ago, as Muslims have already occupied a significant part of the European territory for a long period. After the World Trade Center attack in New York in September 2001, this religion has come back to the center of the stage internationally. Culturally speaking, Islamism is often seen as a threat to the so-called universal values preached by the West, and the growing presence of Muslims in the countries studied in this paper is considered a serious challenge for them.

In terms of importance, immigration and cultural differences are significantly more sensitive issues for western developed countries than racism is. Religion, more specifically, has been gaining more attention in the last decade, as Muslim populations are rising in the four analyzed countries, while at the same time these states have been witnessing a decrease in national population due to the low fertility rates in the West. Apart from the visible cultural aspects, such as Muslim women covering their heads or entire bodies and faces, which already are a challenge for the secular European societies (TAYLOR, 2005), there are other serious aspects like the frequent association between Islamism and terrorism. This is a convenient association for the pan-European civilization to keep its world leadership, since it needs somehow to weaken other civilizations that could potentially gain power. In this context, even if there is no evidence that Islamism promotes more or less violence than other religions, there is a tendency that the analyzed countries will vote against resolutions that link human rights to religions.

The next topic concerns racial matters and xenophobia. All the resolutions related to the topic were implicitly or openly rejected. The resolutions subject to abstention were the following: “World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance and implementation of The Durban Declaration and Programme of Action” and “Promotion of the Enjoyment of the Cultural Rights of Everyone and Respect for Different Cultural Identities”. Regarding the votes against, the resolutions are the following: “Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination”, “From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance” and “Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”.

The ethnic and cultural aspects – and not only the economic one – are rather relevant within the immigration issue. It is easy to defend and promote rhetorically the end of the racial discrimination in the world, but the fact is that western European populations are proud of their traditions and culture, which originally did not include ethnicities different from the Caucasian one. The different elements found in the history of Europe, like the Moorish and Asians from the Far East, were repudiated from the beginning and have never been considered as a model to be followed during the process of consolidation of the pan-European civilization.

Muslims are present in Europe and absent from it. The problem of understanding Islam in Europe is primarily, so I claim, a matter of understanding how Europe is conceptualized by Europeans. Europe (and the Nation-states of which it is constituted) is ideologically constructed in such a way that Muslim immigrants cannot be satisfactorily represented in it.

For both liberals and the extreme right the representation of Europe takes the form of a narrative, one of whose effects is to exclude Islam. [...] I mean only that for liberals no less for the extreme right, the narrative of Europe points to the idea of an unchangeable essence. (ASAD, 2010, pp. 209 e 2014)

Practically speaking, Muslim and black populations, even when they are nationals of the studied countries for more than two generations, live under a way more precarious situation than the white nationals. They usually live in impoverished suburbs and do not have the same access to public services in terms of quality, as the higher COVID mortality rate among black and Asian British is showing now in 2020<sup>6</sup>. In addition to that, they face daily discrimination and are constantly questioned about their cultural integration in the countries where they were born already as nationals or where they chose to live. In the UK and France, for instance, it is not rare for part of the native population to demand the abandoning of cultural practices that do not conform to western standards as a way to accept immigrants in their country; in Sweden, it is significant the rise of far-right parties that support xenophobic policies; and in Norway, not too many years ago, the massacre of teens by a young far-right orthodox Christian had international repercussions. There is enough evidence that Europe has failed to promote the multiculturalism inevitably existent in its national societies and this reflects in the states' foreign policies and the poor protection immigrants are given when it comes to human rights.

This domestic and international attitude towards immigration in western developed countries is a symptom of the direction these states want to take the subject, moving it as further away as possible from the human rights realm and associating it with the economic and national security ones. There are historical and academic findings that prove that prejudice towards immigrants has long been a reality (ZANFORLIN, 2013), which applies to both native populations and national/local governments, as Chicago School showed in the 1920's (PARK, 1928). Identifying foreigners as barbaric is not something new and it happened in many territories, such as the Ancient Greece (MAGALHÃES, 2016) and the Sinocentric civilization, where westerners were seen as ignorant and barbaric. Nowadays, this situation has not changed, although discrimination and xenophobia seem to be gaining more room in comparison with other times.

Generally, this domestic rejection of immigration does not apply to other topics that are also subject to resolutions in the HRC. Most of the other issues discussed usually have domestic support from both the population and the national legislations. Democracy, freedom of expression, access to minimal living standards, and the prohibition of things like torture, summary executions, and modern slavery are only a few examples of issues often discussed in the HRC and thoroughly supported domestically in most western developed states. When it comes to foreign policy, however, many of these topics are not backed by the diplomacy of the very same states, which happens mainly when the support means vulnerability in other areas like security or economy, among others.

Therefore, immigration and related topics tend to be rejected already in the domestic sphere. Economic matters, such as the common argument that immigrants take the jobs of

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<sup>6</sup> <https://www.theguardian.com/world/2020/jun/02/covid-19-death-rate-in-england-higher-among-bame-people>

nationals, are usually the most obvious explanations for the mentioned rejection (PORTER, 2021). A recent example that illustrates this situation is the UK withdrawal from the European Union, also known as “Brexit”. Polls have shown that the referendum decision in favor of Brexit was largely based on an anti-migration feeling and its – allegedly – negative repercussions for the country.

The economic reasons, however, apart from not being empirically sustainable (DUSTMANN, FABBRI, PRESTON, 2005), are quite weak arguments to explain the countries' behavior. According to Brito:

The reason why there is a generalized rejection towards immigrants could be firstly explained by the economic crises affecting many developed countries that also face high unemployment rates. The difficulties arise out of the crisis and of its implications regarding the formulation of anti-immigration policies are clear. However, this hypothesis seems to suggest that the negative reactions are merely conjunctural, which does not appear to be the correct analysis.<sup>7</sup> (BRITO, 2013, p. 78)

Domestically, the economic reasons are quite effective, as they reach people from all social and economic backgrounds. Furthermore, to have internal support for restrictive policies is always positive for the state that intends to implement them. Internationally, however, conjunctural reasons, like the economy, tend to be less important than structural ones, such as national security and the preservation of the West civilization traditions and standards.

In practice, this means, on the one hand, the adoption of domestic policies and laws that severely restrict immigrants' rights. On the other hand, foreign policies are inconsistent with the cooperation expected, as there is an effort to take the migration topic as further away as possible from the human rights field. As REIS teaches:

Nevertheless, the study of the Human Rights International Regime evolution shows that, despite the growing recognition that an individual has rights regardless of his nationality, the implementation of these rights still depends on the state and, when it comes to international migrations, it depends on the receiving country. It is worth mentioning that the right to come and go in the international arena – the right to immigrate – is not recognized as a human right.<sup>8</sup> (REIS, 2004, p. 159)

Another issue that is frequently addressed by the HRC is the one related to migrants' family reunification rights. On this topic, there were two abstentions and one vote against and the titles of

<sup>7</sup> Free translation of the following text: “Uma primeira resposta poderia atribuir à crise econômica de muitos países desenvolvidos, acompanhada de altas taxas de desemprego, o motivo da reação generalizada aos imigrantes. Não há dúvidas quanto às dificuldades derivadas da crise e de suas implicações na formulação das políticas anti-imigratórias. Entretanto, essa hipótese pode sugerir um caráter meramente conjuntural a essas reações, o que não parece um caminho analítico adequado”.

<sup>8</sup> Free translation of the following text: “No entanto, o estudo da evolução do regime internacional de direitos humanos nos mostra que, apesar do crescente reconhecimento do indivíduo como portador de direitos independentes de sua nacionalidade, a implementação desses direitos continua basicamente dependente do Estado, e, no caso específico das migrações internacionais, do Estado receptor. Vale dizer que o direito de ir e vir no âmbito internacional – o direito de imigrar – não é reconhecido como um direito humano”.

the resolutions were the following, respectively: “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”; “Respect for the right to universal freedom of travel and the vital importance of family reunification”; and “Family reunification”. The mentioned Convention was not signed nor ratified by either of the analyzed countries, which corroborates their thoughts and actions against the issue. It is not difficult to explain this behavior. If the immigrants alone are already seen as a threat by a considerable percentage of the nationals and most importantly by the national governments, their families will also be viewed with suspicion and will not be welcome.

Finally, the last topic addressed by the RHC is the one concerning refugees. In this case, there is one resolution that was rejected and whose title is “Migrants and asylum-seekers fleeing recent events in North Africa”. This subject has been gaining relevance lately because of the record high numbers of refugees contemporarily. Nevertheless, since the data compilation on this paper stops in 2011, the major current wars and humanitarian crisis had not reached their peaks by then, especially when it comes to the European repercussions with a significant increase of refugee influx fleeing from Syria. This probably explains why there was only one resolution on this issue on the HRC.

Nowadays, there is a clear tendency for western developed countries to criminalize immigration, which is often backed by societies induced to identify immigrants as criminals (LEITE, 2010). Contemporarily, scholars like BOURBEAU (2011), HUYSMANS (2000) and GUILD (2009) have explicitly addressed the securitization of migration. According to BIGO (2002, p. 65), who also wrote about security in the immigration context, security is a “transversal political technology, used as a mode of governmentality by diverse institutions to play with the unease, or to encourage it if it does not yet exist, so as to affirm their role as providers of protection and security”. Increasing numbers of detention centers for immigrants in developed countries, even though they have not committed any crime, and the disproportionate media coverage of immigrant criminality (COUTTENIER *et al*, 2021) evidence this tendency of portraying immigrants as criminals, which reverberates in the national societies as a whole, manipulating the way the topic is seen and handled (NAFEES, 2021).

If this is already problematic concerning voluntary migration, it becomes even more serious when it happens in the context of forced migration, as it surpasses the diplomacy field and often violates the international law, since these same countries are members of legally binding treaties that demand minimum rights and standards of reception for some immigrant categories, like refugees, for instance. If the states do not hesitate to violate the international law, which could lead to legal international accountability, it seems logical to vote against the resolution, which is not legally binding and can only have diplomatic repercussions.

Generally, it can be noticed that there is no interest in promoting and respecting immigrants' human rights and this reflects in the countries' decisions when they vote against and

abstain at the HRC or when they violate ratified treaties on the subject. Globalization has brought about paradoxical effects worldwide: on the one hand, it made people mobility and communication easier; on the other hand, the building of walls and fences across borders has multiplied, which aims at preventing the entrance of immigrants, terrorists, and smugglers, in this order of priority (VALLET, 2014). While the diplomacy of the analyzed countries acts more abstractly in the context of institutions that are distant from the reality of those who suffer with the everyday violations, domestic policies and laws that jeopardize the very essence of human rights are adopted and together they reveal the truth behind the well-known discourse pro-human rights of western developed states.

A table with all the resolutions and votes<sup>9</sup> throughout the 20 years follows bellow:

TABLE I – VOTING RECORD OF FRANCE, NORWAY, SWEDEN AND UK AT THE UNHRC

<b>Resolutions</b>	<b>In favor</b>	<b>Abstention</b>	<b>Against</b>
“Discrimination based on religion or belief and its impact on the enjoyment of economic, social and cultural rights”.	x		
“Eliminations of all forms of religious intolerance”	x		
“World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance and implementation of The Durban Declaration and Programme of Action” and		x	
“Promotion of the Enjoyment of the Cultural Rights of Everyone and Respect for Different Cultural Identities”.		x	
“International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”		x	
“Respect for the right to universal freedom of travel and the vital importance of family reunification”		x	
“Family reunification”.		France	x
“Migrants and asylum-seekers fleeing recent events in North Africa”			x
“Elaboration of complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination”			x
“From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance”			x
“Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”.			x
“Incitement to racial and religious hatred and the promotion of tolerance”.			x
“Combating defamation of religions”			x

Source: United Nations Human Rights Commission (1992 – 2005) and Council (2006-2011).

<sup>9</sup> The resolution that France appears on the table means that this country voted differently (abstention) from the other 3 states that voted against it.

#### 4. FINAL REMARKS

The contradictions between the pro-human rights discourse and the diplomatic positions of the western developed states, represented by the four analyzed countries, may be surprising to a certain extent. The common sense, largely based on information made available by the most powerful states in the world, tends to consider western developed countries as models to be followed when it comes to human rights.

This surprise factor, however, is much more overwhelming when one analyzes the voting records of topics such as modern slavery, extreme poverty, right to development, international solidarity among others, as these themes are quite settled in the national societies of the developed countries, which makes it incomprehensible for many people the votes against such resolutions. Nevertheless, when the subject analyzed is immigration, this surprise element created by the lack of cooperation is less intense. This happens partly because the development of this subject faces challenges domestically already, which is not a reality when other human rights subjects, like civil and political rights, are discussed. Furthermore, western developed countries usually do not defend or promote, not even rhetorically, immigration or related rights on their territories. On the contrary, many political parties and movements have been gaining power with an anti-immigration agenda. Therefore, it should not be a surprise when these countries do not show support for immigration rights on human rights multilateral institutions, even though they are human rights issues.

The voting data and their analysis openly show that matters related to sovereignty and national security prevail over the individual right of free mobility and it seems irrelevant that the restrictions imposed on this basic right by domestic and international policies relate more to autocracies than to the democratic ideals so cherished by western developed states. This tendency of securitizing the immigration agenda is evident in domestic public policies and has been shown by numerous scholars, seeming to be irreversible in the short run. Out of 13 resolutions related somehow to the issue of immigration, 11 did not get the support of the analyzed states, which represents a common behavior pattern for all the western developed countries. This dissociation between immigration and human rights reveals that the rights that migrants are entitled to do not derive from the human nature of these individuals, as they decrease or even cease to exist when the borders of their countries are crossed, regardless if this fact constitutes a breach of the international law created and promoted by these same lawbreaker states.

The universalization of human rights ideals often imposed by the pan-European civilization is selective (WALLERSTEIN, 2007) and limited to subjects that are conveniently settled in the domestic sphere of western developed countries, which does not include immigration. While transboundary movement of people tends to increase, the countries' "Realist" behavior leads to

harsher laws and policies intended to at least try to curb this growth, which takes place at the expense of denying the human rights character to a clear human issue, such as immigration.

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